THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REFERENCE ONLY

PARL. PAPERS
R REFERENCE ONLY.

Parl. Papers.

University of London

Presented by
the Worshipful Company
of Goldsmiths.
1903.

619821

THE

Parliamentary Debates

FROM

THE YEAR

1803

TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

VOL. XXIII.

COMPRISING THE PERIOD
FROM
THE FIFTH DAY OF MAY
TO
THE THIRTIETH DAY OF JULY
1812.

LONDON:
PRINTED FOR LONGMAN, HURST, REES, ORME, AND BROWN; CRADOCK AND JOY;
J. BOOKER; J. BOOTH; J. RICHARDSON; BLACK, PARRY, AND CO.; E. JEFFERY;
J. HATCHARD; J. RIDGWAY; BUDD AND CALKIN; J. RODWELL; R. H. EVANS;
AND
T. C. HANSARD, PRINTER, PETERBOROUGH-COURT, FLEET-STREET.

1812.

Digitized by the Internet Archive
in 2026

https://archive.org/details/parliamentary-debates_may-july-1812_23

TABLE OF CONTENTS

TO

VOLUME XXIII.

I. Debates in the House of Lords.
II. Debates in the House of Commons.
III. Prince Regent's Speeches.
IV. Prince Regent's Messages.
V. Parliamentary Papers.
VI. Petitions.
VII. Protests.
VIII. Reports.
IX. Lists.

I. DEBATES IN THE HOUSE OF LORDS.

1812. Page
May 5. Renewal of the East India Company's Charter 1
Orders in Council 3
Mr. Henry's Secret Mission to the United States 11
6. Committee on the Orders in Council 42
8. Committee on the Orders in Council 92
Gentleman Usher of the Black Rod 93
11. Assassination of the Right Honourable Spencer Perceval 161
12. The Prince Regent's Answer to the Address respecting the Assassination of Mr. Perceval 168
Committee on the Orders in Council—State of the Country 170
20. Committee on the Orders in Council 230
27. Gentleman Usher of the Black Rod 300
28. Gentleman Usher of the Black Rod 302
June 2. Dissenters 318
Insolvent Debtors' Bill 319
3. Negociations for forming a New Administration 332
5. Negociations for forming a New Administration 338
8. Negociations for forming a New Administration 356
10. Insolvent Debtors' Bill 393
12. Protest against the Gold Coin and Bank Note Amendment Bill 465
18. Repeal of the Orders in Council 587
Curates' Salaries Bill 592
19. Negociations for forming a New Administration 593
23. Roman Catholics of Ireland 711
24. Delays in Chancery 732
Repeal of the Orders in Council 733
26. Curates' Salaries Bill 771

Page

June 27. Prince Regent's Message respecting the Disturbed State of certain Counties of England 794

29. Prince Regent's Message respecting the Disturbed State of certain Counties 796

July 1. The Marquis Wellesley's Motion respecting the Roman Catholics 814

Curates' Salaries Bill 871

Mr. Palmer's Per-Centage Bill 872

3. Mr. Palmer's Per-Centage Bill 886

Informations Ex-Officio 887

Dissenters' Relief Bill 887

Sinecure Offices Bill 892

6. Island of Jersey 917

Mr. Palmer's Per-Centage Bill 918

7. Leather Tax 930

10. Mr. Palmer's Per-Centage Bill 959

13. Informations Ex-Officio 995

Appellant Jurisdiction and Court of Chancery Bill 997

14. Report of the Secret Committee on the Disturbed State of certain Counties 1029

Mr. Palmer's Per-Centage Bill 1039

17. The late Overture from France 1068

Lord Holland's Motion respecting Informations Ex Officio 1069

21. Local Tokens' Bill 1110

23. Exchange of Prisoners of War—Slave Trade—West Indies 1187

Frame Work Knitters' Bill 1190

Toleration Bill 1191

Prisoners' Escape Bill 1193

Preservation of the Public Peace Bill 1194

24. Toleration Bill 1247

Frame Work Knitters' Bill 1248

25. Toleration Bill 1250

27. Preservation of the Public Peace Bill 1251

30. Prince Regent's Speech at the Close of the Session 1285

II. DEBATES IN THE HOUSE OF COMMONS.

May 5. Unlawful Oaths' Bill 31

Committee on the Orders in Council 41

Renewal of the East India Company's Charter 41

Reform in Parliament 42

6. Civil Disabilities of the Roman Catholics 55

Property Tax 56

Committee on the Orders in Council 57

Delays in Chancery 57

7. Committee on the Orders in Council 70

Regent's Canal Bill 71

Mr. Creevey's Motion respecting the Tellers of the Exchequer 73

Reform in Parliament 88

Gentleman Usher of the Black Rod 90

Page
May 8. Royal Canal Company of Ireland 96
Salaries to Commissioners of Appeals in Revenue Causes 97
Mr. Brand's Motion respecting a Reform in Parliament 99
11. Petition of Journeymen Potters against the Orders in Council ... 164
Committee on the Orders in Council 165
Assassination of the Right Hon. Spencer Perceval 165
12. The Prince Regent's Message respecting the Family of Mr. Perceval 171
13. Answer of the Earl of Wellington to the Vote of Thanks for the Capture of Ciudad Rodrigo 178
Petition from Liverpool in favour of the Orders in Council 181
Answer to the Prince Regent's Message respecting the Assassination of Mr. Perceval 186
Prince Regent's Message respecting the Assassination of Mr. Perceval 187
Committee on the Orders in Council 199
14. Prince Regent's Answer to the Address respecting the Assassination of Mr. Perceval 200
Monument to the Memory of Mr. Perceval 206
Prince Regent's Message respecting the Family of Mr. Perceval 206
Committee on the Orders in Council 219
15. Committee on the Orders in Council 221
Monument to the Memory of Mr. Perceval 222
Prince Regent's Message respecting the Family of Mr. Perceval 230
20. Address for a strong and efficient Administration 231
Letter from Lord G. L. Gower to Viscount Castlereagh respecting Bellingham the Assassin 239
Prince Regent's Message respecting the Family of Mr. Perceval 243
21. Mr. Stuart Wortley's Motion respecting a strong and efficient Administration 249
22. Prince Regent's Answer to the Address for a strong and efficient Administration 286
Orders in Council 286
25. Orders in Council—Call of the House 292
Mr. Henry's Secret Mission to the United States 293
26. Orders in Council—Change of Administration 295
Publicans' Bill 298
27. Civil Disabilities of the Roman Catholics 301
30. Petition of Mr. Houlden complaining of his Treatment in Lincoln Castle 310
Change of Administration 313
June 1. Negociations for forming a New Administration 313
Lincoln Castle 316
Irish Loan 317
2. Droits of Admiralty 326
Petition of Peter Battey respecting Mr. Mansell Philipps, a member 327
Negociations for forming a New Administration 329
3. Orders in Council 336
Negociations for forming a New Administration 337
5. Negociations for forming a New Administration 352

TABLE OF CONTENTS.

Page
June 8. Negociations for forming a New Administration 381
9. Petition from Merchants, &c. respecting the Orders in Council 392
10. Catholic Question—Orders in Council 393
11. Orders in Council 395
Ecclesiastical Court 396
Petition of Samuel Scuffum, a Prisoner in Lincoln Castle 396
Mr. Stuart Wortley's Motion respecting the Failure of the Negociations for forming a New Administration 397
13. Reprieve or Pardon of Walter Hall 466
15. Sinecure Offices Bill 468
Colonel M'Mahon—Prince Regent's Secretary 476
Negociations for forming a New Administration—Mr. Sheridan's Explanation 476
East India Loan 478
16. American Loyalists' Petition 484
American Seamen 485
Petitions from Prisoners in Lancaster Castle 485
Mr. Brougham's Motion on the Present State of Commerce and Manufactures—and for the Repeal of the Orders in Council 486
17. Complaint against "The Day" Newspaper 548
Prisoners of War 551
Toleration Act 551
Sinecure Offices Bill 551
Negociations for forming a New Administration—Mr. Sheridan's Explanation 552
Barracks 559
The Budget 559
Irish Budget 584
19. Leather Tax 600
Repeal of the Orders in Council—Call of the House 600
Negociations for forming a New Administration—Mr. Sheridan's Explanation 606
Admiralty Registrar's Bill 626
22. Mr. Palmer's Claims 630
Mr. Canning's Motion respecting the Roman Catholics 633
23. Repeal of the Orders in Council 715
Irish Tythes 721
24. Inland Navigation of Ireland 738
Tythes on Potatoes in Ireland 744
Mr. Crompton's Petition 747
25. Impressment of American Seamen 749
Conduct and Management of Lincoln Gaol 750
Loans raised by the East India Company 766
Mr. Palmer's Claims 768
26. Commercial Exchequer Bills 772
Welch Judge 774
Petition of Mr. St. John Mason 774
Leather Tax 783
Prisoners of War breaking Parole 791

Page
June 27. Mr. Palmer's Per-Centage Bill 794
Prince Regent's Message respecting the disturbed State of certain Counties of England 795
29. Petition respecting the disturbed State of certain Counties of England 802
Ecclesiastical Courts' Regulation Bill 806
Assessed Taxes Bill 808
Mr. Palmer's Per-Centage Bill 809
30. Motion respecting one of the Judges of the Palace Court 810
July 1. Excise Duties' Bill—Leather Tax 875
Penitentiary House 876
2. Leather Tax 878
Address respecting Mary-le-bone Park 878
Bristol Election—Samuel Fletcher's Petition 882
Report on the Conduct and Management of Lincoln Castle 883
3. State of Lancaster Gaol 895
East India Company's Loan Bill 904
6. London New Prison Bill 924
Lincoln Castle 926
Mode of Electing Jurats in the Island of Jersey 928
7. Auction Duty Bill 933
Reprieve or Pardon of Walter Hall 934
Resolutions respecting the State of the East India Company's Affairs 940
Irish Potatoe Tithes' Bill 943
8. Nightly Watch Bill 949
Report of the Secret Committee on the disturbed State of certain Counties 951
9. Sir Thomas Turton's Financial Resolutions 956
10. Preservation of the Public Peace Bill 962
Toleration Bill 994
13. Mr. Palmer's Per-Centage Bill 997
Prince Regent's Message for a Vote of Credit 998
Privy Purse Bill 998
Informations Ex-Officio in Ireland 998
Preservation of the Public Peace Bill 999
Prisoners of War 1028
14. Vote of Credit 1043
Case of Captain King 1046
Flogging in the Army 1049
Case of Mr. St. John Mason 1050
Case of Mr. Fletcher 1055
Preservation of the Public Peace Bill 1056
West India Revenues Bill 1058
16. Preservation of the Public Peace Bill 1060
20. West India Revenues' Bill 1099
Preservation of the Public Peace Bill 1099
Importation and Exportation of Grain 1103
Irish Butter Bill 1103
Toleration Bill 1105

Page
July 21. Ex-Officio Informations in Ireland—Case of Hugh Fitzpatrick... 1111
Overture for Peace from France 1123
Frame Work Knitters Bill 1162
22. Insolvent Debtors Bill 1178
Petition of Thomas Ball.. 1178
Petition of the late Factory at Oporto.. 1178
23. Petition of Daniel Isaac Eaton.. 1196
Finance Resolutions 1198
28. Bristol Election 1258
State of the Nation.. 1262
29. West Indies 1272
Army Agency 1276

III. PRINCE REGENT'S SPEECHES.

PRINCE REGENT'S SPEECH at the Close of the Session 1285

IV. PRINCE REGENT'S MESSAGES.

PRINCE REGENT'S MESSAGE respecting the Family of Mr. Perceval 171
- - - - - - - - - - - - - - - respecting the disturbed State of certain Counties of England 795
- - - - - - - - - - - - - - - for a Vote of Credit 998

V. PARLIAMENTARY PAPERS, &c.

LETTER from Lord G. L. Gower to Viscount Castlereagh, respecting Bellingham the Assassin 240
STATEMENT relating to the Resignation of the Marquis Wellesley 367
REVOCATION of the Orders in Council 716
Sir Thomas Turton's Finance Resolutions 957
The Chancellor of the Exchequer's Finance Resolutions 1225
Mr. Tierney's Finance Resolutions.. 1237
CORRESPONDENCE with the French Government relative to Peace 1056
PAPERS relating to the Negociations in the Months of May and June, 1812, for forming a New Administration..*App.* i.

VI. PETITIONS.

PETITIONS respecting the Renewal of the East India Company's Charter, 27, 44, 62, 95, 179, 205, 221, 232, 387, 714, 806, 873.
- - - - - - respecting the Orders in Council, 164, 181, 202, 219, 232, 247, 289, 351, 392.
- - - - - - of Loan Debenture Holders of the Royal Canal Company of Ireland 64
- - - - - - from Chow Bent respecting Peace 180

Page
PETITION from Huddersfield respecting the Riot Act 294
- - - - - - from the Board of Agriculture for a General Inclosure Bill 300
- - - - - - of Mr. Prendergast on behalf of certain Persons in the Province of Oude 303
- - - - - - from Mr. Houlden complaining of his treatment in Lincoln Castle 310
- - - - - - from Mr. Battey, respecting Mr. Mansell Philipps, a Member... 327
- - - - - - of the East India Company for a Loan.................................. 390
- - - - - - of Samuel Scuffum, a Prisoner in Lancaster Castle.................. 396
- - - - - - of the Bath and West of England Society for a General Inclosure Act 467
- - - - - - of the Creditors of the Nabob of the Carnatic........................ 734
- - - - - - of Mr. St. John Mason 774
- - - - - - of Mr. Eyre 776
- - - - - - of the late Factory at Oporto 1178

VII. PROTESTS.

PROTEST against the Gold Coin and Bank Note Amendment Bill 465

VIII. REPORTS.

REPORT of the Secret Committee of the House of Commons on the Disturbed State of Certain Counties 951
- - - - of the Secret Committee of the House of Lords on the Disturbed State of Certain Counties 1029

IX. LISTS.

LIST of the Minority in the House of Commons, May 6, on the Delays in Chancery 61
- - - of the Minority in the House of Commons, May 7, on Mr. Creevey's Motion respecting the Tellers of the Exchequer 88
- - - of the Majority in the House of Commons, May 21, on Mr. Stuart Wortley's Motion respecting a strong and efficient Administration... 284
- - - of the Minority in the House of Commons, June 19, on the Admiralty Registrar's Bill 629
- - - of the Minority in the House of Commons, June 22, on Mr. Canning's Motion, respecting the Roman Catholics 710
- - - of the Minority in the House of Commons, June 23, on Mr. Parnell's Motion respecting Irish Tythes 732
- - - of the Minority in the House of Commons, June 26, on the Leather Tax 791
- - - of the Minority and also of the Majority in the House of Lords, July 1, on Marquis Wellesley's Motion respecting the Roman Catholics 868
- - - of the Minority in the House of Lords, July 7, on the Leather Tax ... 933
- - - of the Minority in the House of Lords, July 17, on Lord Holland's Motion respecting Informations Ex-Officio 1098
- - - of Public Acts passed in the Sixth Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland..........*Appendix* xlv

LIST OF

HIS MAJESTY'S MINISTERS,

As it stood at the period of the Dissolution, Sept. 29, 1812.

CABINET MINISTERS.

Earl of Harrowby	Lord President of the Council.
Lord Eldon	Lord High Chancellor.
Earl of Westmoreland	Lord Privy Seal.
Earl of Liverpool	First Lord of the Treasury (Prime Minister)
Right Hon. Nicholas Vansittart	Chancellor and Under-Treasurer of the Exchequer.
Lord Viscount Melville	First Lord of the Admiralty.
Earl Mulgrave	Master-General of the Ordnance.
Lord Viscount Sidmouth	Secretary of State for the Home Department.
Lord Viscount Castlereagh	Secretary of State for Foreign Affairs.
Earl Bathurst	Secretary of State for the Department of War and the Colonies.
Earl of Buckinghamshire	President of the Board of Controul for the Affairs of India.
Marquis Camden.	

NOT OF THE CABINET.

Viscount Palmerston	Secretary at War.
Earl of Clancarty	President of the Board of Trade.
Right Hon. F. Robinson	Vice-President of the Board of Trade, and Treasurer of the Navy.
Lord Charles Somerset	Joint Paymaster-General of the Forces.
Right Hon. Charles Long	
Earl of Chichester	Joint Postmaster-General.
Earl of Sandwich	
Richard Wharton, esq.	Secretaries to the Treasury.
Sir Charles Arbuthnot, knt.	
Sir William Grant	Master of the Rolls.
Sir Thomas Plumer	Attorney-General.
Sir William Garrow	Solicitor-General.

PERSONS IN THE MINISTRY OF IRELAND.

Duke of Richmond	Lord Lieutenant.
Lord Manners	Lord High Chancellor.
Right Hon. Robert Peel	Chief Secretary.
Right Hon. W. Fitzgerald	Chancellor of the Exchequer.

Parliamentary Debates

During the Sixth Session of the Fourth Parliament of the United Kingdom of Great Britain and Ireland, and of the Kingdom of Great Britain the Twenty-first, appointed to meet at Westminster, the Seventh Day of January, One Thousand Eight Hundred and Twelve, in the Fifty-second Year of the Reign of His Majesty King GEORGE the Third.

HOUSE OF LORDS.

Tuesday, May 5, 1812.

RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Earl Fitzwilliam presented a Petition from the manufacturers of Leeds, Wakefield, and Halifax, against the renewal of the East India Company's Charter.—Ordered to be laid on the table.

The Earl of Bath presented a Petition of a similar description from the manufacturers of woollen cloth, in Wiltshire; which, after a few words from the earl of Lauderdale, who described the Petition as worthy of peculiar attention, coming from a body of men deeply interested in the staple commodity of the country, was also ordered to lie on the table.

Marquis *Wellesley* said, he held in his hand a Petition signed by 750 merchants and traders of the city of London, interested in the trade to India and China. The Petition stated, "That, under the provisions of an act of parliament, they had embarked in this trade, which was confined exclusively to the Port of London, and had gone to an immense expence in the formation of docks, and in affording other facilities to our commerce with the East. The advantages held out to the public, by opening that trade, they conceived to be fallacious; instead of benefit, great evil would be produced by the removal of the present restraints, and by granting a participation to the out-ports. This could not be done without inflicting injury on the persons immediately interested—without endangering the present easy method of collecting the revenue—without greatly affecting the trade to those countries—and, finally, without departing from that system, on which Indian commerce had been conducted for many years. If the House did not think proper to agree with the prayer of the Petition, it was suggested, that remuneration should be granted to the petitioners." His lordship thought it right to state the principal points of the Petition, because he had promised to present it; and, when the important subject to which it related, came regularly before the House, he should endeavour, in the best manner possible, to state to their lordships the grounds on which the claims of the petitioners were founded. He had not, however, pledged himself to support those claims; but, as he considered it one of the most important duties of a peer of parliament to bring the Petitions of the people before the legislature, he had felt himself bound to introduce it. In another quarter out of doors, however, he understood, that the subject matter of the Petition had been canvassed, and something like a promise held out to the petitioners. He deprecated such proceedings out of parliament, where alone matters of this nature ought to be entertained. For some time past, a negociation, as it was called, was said to have been carried on, between the East India Company, and his Majesty's government, on the subject of the renewal of the Company's charter. If it were not for the publicity of the proceeding, it might be mistaken for a negociation with some foreign state. The true mode, in his opinion, to bring the business to an harmonious adjustment, was by laying it before parliament. By that means, the collective wisdom of the legislature would be occupied in elucidating a subject, in which the interests of the nation were most deeply involved. His lordship then moved, That the Petition do lie on the table.

The Earl of *Buckinghamshire* said, the noble marquis could not possibly feel more interested in the subject connected with the Petition which he had presented than he himself did. The proceedings which had taken place as to the renewal of the charter ought not to be termed a negociation, in any sense in which the word "negociation" ought to be used. It ought not to be so considered, because the parties could not come to any definite agreement. But he conceived it very proper, if it were deemed advisable that the subject should be brought forward on particular grounds, that communications should take place, with a view of endeavouring to come to some opinion upon the subject in which both parties might agree. That was all that had been done in the present instance, and certainly it could not properly be called a negociation. Whenever this subject was brought under the consideration of parliament, he was convinced, it would receive the most deliberate discussion: but, from the short report he had received of the proceedings at the India house, this day, he did not think the circumstances were such as were likely to induce his Majesty's government to submit any proposition to parliament on the subject, in the course of the present session.

The Petition was then laid on the table.

Viscount *Melville* presented a Petition, praying for a total or partial abolition of the East India Company's monopoly, from the provost and town council of the royal burgh of Ayr; which, after a few words from the earl of Lauderdale, who objected to its being received, as it was not sealed with the signet of the corporation, and a short reply from viscount Melville, was laid on the table.

ORDERS IN COUNCIL.] The Earl of *Derby* adverted to the Petition which a few days ago he had laid before parliament, signed by some of the most respectable merchants in Liverpool, in which they expressed their fear that the measures pursued by ministers would end in the ruin of their commercial prosperity. The declaration which had been published on the 21st of April, relative to the Berlin and Milan Decrees, did not seem to have allayed their fears. In confirmation of this opinion, he held in his hand a Petition from the town of Liverpool, subscribed, not so numerously indeed as the former, but by persons equally respectable, and calling for a repeal of the Orders in Council. It was couched in language so eloquent, so respectful, and so firm, as would justify him in moving that it be read at full length. The subject had been taken up in a new light by the petitioners. They had got ready a body of evidence greater than ever had appeared at their lordships' bar, to prove the inefficacy of the measures pursued by ministers. The petitioners very justly observed, that so far from being relieved by the recent declaration of his Majesty's government, that declaration placed it in the power of the great enemy of the commercial interests of this country, whenever he pleased, by rescinding his Berlin and Milan Decrees, to occasion the repeal of the Orders in Council—thus rendering the continuance of the distresses of the petitioners dependent upon the will and pleasure of Buonaparté. The prayer of the Petition particularly stated, that the recent declaration was an additional proof of the unfitness of his Majesty's present ministers to govern the country, and called on their lordships, as the hereditary counsellors of the crown, to petition the throne for their removal.

The Petition was then read, and laid on the table.

On the order of the day being read for referring to a Committee the Petitions against the Orders in Council,

Earl *Fitzwilliam* moved, That the Petition of the woollen manufacturers of the West Riding of Yorkshire be now read.

The Clerk having read the preamble of the Petition,

The Earl of *Liverpool* suggested that, as there was no intention to oppose the motion for the committee, if the Petition were read short, it would equally answer the noble earl's purpose, and save the time of their lordships.

Earl *Fitzwilliam* said, the Petition came foom one of the richest and most populous manufacturing districts in the country, and deserved great attention. It should also be recollected, that this was not the only Petition on the subject—there was no description of manufacturers by which their lordships had not been addressed. They called on the House to protect their interests, as subjects of the realm; they entreated their lordships to abandon a system which they felt inimical to their prosperity. He wished not, however, to take up their lordships' time with reading the Petitions, as the motion for a committee was not to be opposed, but he was desirous of learning what course was intended to be pursued with respect to the committee.

The Earl of *Liverpool* observed, that the Petitions might be read now, *pro formâ*, after which the noble earl could move, that they should be referred to a committee, either to-morrow or on any other day.

Earl *Fitzwilliam* shortly after moved, That the various petitions on the subject should be referred to a committee of the whole House to-morrow.

Lord *Auckland* declared, that he attended in his place this day, in consequence of the respect he felt for the petitioners at their lordships' bar. He did not mean to dissent from the motion of his noble friend, but he would have preferred the course of immediately addressing the Prince Regent to repeal the Orders in Council. Four years ago, he first called the attention of the House to the calamitous situation of the country, occasioned by the Orders in Council. Soon after the subject was taken up by several noble friends of his, who were more competent to the task than he was. Almost every day during the session they agitated the question in different points of view. Some considered the system as an outrage on the law of nations. Some reprobated it as impolitic towards foreign countries; but they were all of this opinion, that it tended to produce misery and wretchedness among the trading and manufacturing classes of society. A committee was afterwards appointed, and, in his judgment, and that of many noble lords, a strong case was made out against the continuance of the system. It was not, however, acted upon; for, at that time, the country was not, as at present, awake to its danger. A remnant of prejudice was kept up among the manufacturing classes; but now they felt, by experience, the truth of what he and his noble friends then stated. They were not fortunate enough, at that period, to effect any alteration; but of this he was convinced, that if it had not been for the change in the ministry, the moderate measures which his friends were pursuing would have prevented the evils the empire had sustained from the Orders in Council, and would have continued to us the possession of a full commerce with America, the non-ratification of the treaty with which country he deeply lamented. With respect to the declaration which had been recently published, he could not help observing, that by it the continuance of the Orders in Council was made to rest, not on the judgment of the government of this country, but on the feeling of the enemy.

Earl *Bathurst* noticed the reluctance expressed by the noble lord to go into a committee, and asked whether that reluctance arose from the apprehension that perhaps it might be discovered, when an examination took place, that the trade, commerce, and manufactures of the country, instead of having been injured by the Orders in Council, were really improved by them.—When the noble lord spoke of our relations with America, and regretted that the treaty was not concluded, he should have recollected, that that circumstance was occasioned by the President of the United States not thinking fit to ratify that which had already been signed here. When the noble lord spoke of the misery which had been caused by the Orders in Council, he should also have recollected, that the administration with which that noble lord had been connected laid the foundation of that system of which he complained; and, whatever the present relations with America might be, it ought not to be forgotten, that the government of that country exclaimed as loudly against the Order in Council of January, 1807, enforced by noble lords opposite, as they did against those which the present administration had supported.

The Marquis of *Lansdowne* regretted the fate of the motion he had submitted to the House, at an early period of the session, on the subject of the Orders in Council. If it had been agreed to, their lordships might now, after a deliberation of two months, have been enabled to come to a decision on this momentous question. By temperate and judicious measures, they might have laid the foundation for a renewal of our connection with that power, which, under all the circumstances of the world, was the best entitled to support this country in the dreadful conflict in which she was engaged. He expressed himself fully justified in assuming that considerable benefit would have resulted from granting the Committee at an earlier period. At the same time, he felt much satisfaction in observing that the great body of their lordships, who were heretofore averse from any enquiry on the subtect, did not stand up to oppose the motion. The eloquence of the noble earl (Liverpool) in the few sentences he had uttered, must have had a very powerful effect in operating such a sudden and radical change of opinion.

The Earl of *Westmoreland* assigned, as a reason for conceding the motion at present submitted to the House, that their lordships' table was covered with Petitions against the Orders in Council; but, when the former motion was introduced, not a single Petition of that description was before them. The only Petitions which had been then presented on the subject, were in favour of those measures, and complaining of the relaxation which had taken place. He considered any allusion to the present state of the relations of this country with America, as extremely improper. Whatever those relations were, they originated in the conduct of the noble lords opposite. The quarrel relative to the Chesapeake frigate, and indeed the whole dispute, from its commencement, was attributable to them. His Majesty's present ministers were only executors of the quarrel of the noble lords, which they had followed up in the principle originally pursued by them.

Earl *Grey* denied that the conduct of our late ministers had been the foundation of our disputes with America, and contended that the Order in Council of January, 1807, was most improperly urged against the late ministers, as a ground of difference with America, the fact being that it was issued during the negociation of the treaty mentioned by his noble friend (lord Auckland,) that it was recognized by the American plenipotentiaries, and the treaty concluded afterwards. But what reference had the order of January 1807, to the subject under discussion? The ministers who issued that Order had had no opportunity of taking any further steps respecting it, and was it now to be made a subject of charge against them, because the present ministers had engrafted upon that Order measures of a character never in the contemplation of the late government, and to which they were decidedly adverse? To impute the odium of originating those obnoxious measures to those with whom he (lord Grey) acted, was the constant practice of the noble earl. Indeed he seemed to have nothing else to say. A system of forbearance and conciliation had been acted on by the late ministers towards America; and when, in the year 1807, he was pressed in the other House, to pursue measures similar to those which had since been adopted, what was the answer given by him?—It was this, "we cannot adopt such measures without bringing ruin on the country!" It was true America had refused to ratify the treaty with this country; but it was not such a refusal as to destroy the hope of an amicable adjustment, if the business had been properly conducted subsequently. Noble lords had vauntingly said, that the Orders in Council would place the enemy at the feet of this country; but the fact was, that whatever commerce we enjoyed was produced, not by those Orders, but by the violation of them. It was well known that the manufacturers of Yorkshire made the clothing for the French army; and not only the accoutrements but the ornaments of marshal Soult and his army were formed by the artisans of Birmingham. He did not anticipate much good from the committee, observing the disposition of ministers, and aware that they had been forced into the committee by the numerous Petitions from all quarters of the country. He, however, was satisfied in this respect, that the petitioners would have the opportunity of proving their distresses beyond the possibility of a doubt, and that every one must be convinced that their distresses arose from that baneful system which had arisen out of the Orders in Council, it being only by a departure from that system by means of licences that the little commerce remaining to the country was carried on. As to the assertion of the noble earl, that there were at the time inquiry was refused, no Petitions on the table, he believed there was one from the potters of Staffordshire, but at any rate ministers were amply acquainted with the distresses of the country.

The Earl of *Liverpool* was of opinion, as the motion had not been opposed, that the discussion was unnecessary. But it seemed, from the speeches which had been made, that the noble lords opposite felt a considerable degree of soreness because it was conceded, as if they thought their assertions made respecting the operation of the Orders in Council, would not be borne out by the examination of witnesses. Adverting to the Order of Council of January, 1807, he contended that the principle of that Order was exactly the same with that which his Majesty's ministers had adopted. And it was notorious, that in every discussion with the American government the Order of January, 1807, was put in the front of the battle, by the government of the United States. That this Order was shewn to the commissioners who signed the American treaty here, he believed to be correct, but that only proved their individual feeling on the subject. He would not take up their lordships' time then with any further observations.—But, as many respectable and loyal persons seemed to think that the evils of the country were derived from the Orders in Council, he would, in the Committee, hear their evidence, and go into the inquiry, as he trusted all their lordships would, unbiassed and unprejudiced.

Lord *Grenville* concurred with his noble friend near him (lord Auckland) that an immediate repeal of the Orders would be preferable to an enquiry. That this would be the ultimate result he had no doubt; but every hour's delay was productive of infinite distress. This was no new opinion with him, nor adopted to pay court to any body of men. When he considered the national misery which had resulted from these Orders in Council, it was with infinite satisfaction he reflected that he had nothing to reproach himself with, as no efforts had been wanting on his part, to point out the mischievous tendency of such policy. Was it for those who had constantly refused inquiry, or when goaded into it four years ago, had refused to repeal the Orders, though the evidence was clearly against them, to impute to their opponents that they felt sore at going into this inquiry? Those, too, who had even in this session negatived a motion for inquiry! This they now justified on the ground that there were no petitions at that period before parliament. He had on that occasion desired that a Petition to the executive, from the Staffordshire Potters, should be laid on the table; which was refused, because it had been presented to the executive. Without at present dwelling upon the principle of this argument, he had only to remark with what propriety those who so refused a Petition rested on the fact that there were then no Petitions on the table against these Orders in Council: his noble friend behind him too (earl Fitzwilliam), having stated that a Petition from the manufacturers of Yorkshire was then in preparation. With regard to the commercial policy of the late government, he felt reluctant in again troubling their lordships upon the gross misrepresentation, with the repeated refutations of which they must now be completely wearied. But on this great day, when they were compelled to listen to the voice which they had before refused to hear—when they were forced to look at the evils which they formerly refused to regard—when they were called upon for the remedy which they had before refused to apply; he could not but again deny having had any share in this ruinous system. During the whole time that he had served his Majesty, it had uniformly been his policy to cultivate a good understanding between this country and America, and there were few acts of his life upon which he looked back with greater satisfaction than that of having signed the first commercial treaty with America. The prejudices and difficulties which he and the excellent man, Mr. Jay, with whom he negotiated that treaty, had to encounter, few could conceive. In the negociation respecting the late treaty, he had the able co-operation of his two noble friends near him (Holland and Auckland,) and never had a negotiation been conducted with a more sincere desire, he believed on both sides, to come to a good understanding. Could there be a more solemn refutation of the absolute calumny about the Order of January, 1807, than that the treaty was signed after the issuing of that Order? It had nothing in common with the orders of his Majesty's present servants but the name. Their argument was this: "If our Orders in Council are mischievous, you are involved; for you, too, issued an Order in Council." It afforded them a gratification to say, your Order is put in the front of the battle. Aye, but by whom had it been put there? By the ministers, who in their intercourse with foreign states introduced their paltry, petty, party feelings. They had put this forward that they might have a miserable little triumph over their political opponents: and they had so far succeeded, for they had produced a temper in America which probably could not be satisfied without a repeal of this Order: and he had no hesitation in saying, that this, as well as the others, ought to be repealed, if the friendship of America could be obtained by this means, and at no less a sacrifice. Our essential maritime rights he would not give up, even for American friendship, but had it not been for the ruinous policy adopted by the present administration, he was confident that an amicable arrangement might have been formed in perfect consistency with the rights and interests of both nations.

The Earl of *Derby* observed, that ministers must have been long since aware of the complaints against the Orders in Council, as a Petition on that subject was transmitted to him last November from Liverpool; and having had a communication respecting another Petition with colonel M'Mahon, who stated that a levee was not likely soon to be held, and requested the Petition to be transmitted to him, he transmitted this Petition from Liverpool also to col. M'Mahon, to be laid before the Prince Regent. After a month or six weeks had elapsed, he wrote to those from whom he received the Petition, stating what had occurred. They, in answer, requested him to communicate with col. M'Mahon, for the purpose of ascertaining whether the Petition had been laid before the Prince Regent. On so doing, he received an answer from col. M'Mahon, stating that the Petition had been referred to Mr. Secretary Ryder. He mentioned these circumstances to shew that ministers must have been aware of the complaints of the people at that time against the Orders in Council.

The motion for a committee, and for referring the Petitions to it, was then agreed to.

MR. HENRY'S SECRET MISSION TO THE UNITED STATES.] The order of the day upon which their lordships were summoned having been read:

Lord *Holland* rose to bring forward the motion of which he had given notice, relative to the mission of capt. Henry to the United States. He said the proposition he was about to submit to their lordships had no reference whatever to the line of policy proper to be pursued with respect to the United States of America, but was grounded on the general relations of all civilized states. It went to call for information on a topic of great importance, because it affected the honour of the country. He felt at a loss to know upon what objections an opposition to such a motion could be founded. It went to the crimination of no man, or any set of men; but from what had met the public eye, he conceived it now indispensably necessary that the government of this country should be vindicated from what he trusted was an unfounded charge made against it, in a message to the American senate from the president. It was in fact no less, than that while two friendly powers were engaged in negociation upon certain points of national importance, a member of the British government had employed a secret agent, captain Henry, in the territories of the United States, not for the purpose of procuring intelligence, for that he granted was a legitimate object, but for the purpose of procuring some of the provinces or states of the union, to throw off their allegiance to their legal government, and to separate themselves from the rest. It was worthy of consideration that this charge originally came from an individual who avowedly betrayed the secrets of his own employers. A proceeding of this kind would certainly come with more grace from the opposite side of the House, from those who had access to the official papers, and all possible means of information. On the first mention of this matter he had deferred for 24 hours asking any question of the noble lord opposite, (lord Liverpool) though perhaps it ought not to have been delayed at all, in the wish to give him time to refresh his memory on the subject, and also as other names were connected with the papers. He proceeded to refer to certain points of the papers which had been communicated by the American executive to its legislature, and to that part of the instructions to captain Henry, which mentioned the enclosure of credentials to him, and which spoke of the probability of the Federalists no longer submitting to the distressful situation in which the conduct of their government had placed them, but eventually looking up to the English for their assistance. This implied an endeavour to induce a part of the subjects of a friendly power to do that which was against the laws of their country. If this paper were authentic, it implied that captain H. was employed in a way that it would require great ingenuity to explain satisfactorily; and it was incumbent on the government of this country to vindicate its honour from so pointed an attack. It was known two great opposing parties existed in America. There were many there who were friendly to this country, and what must their feelings and opinions have been when this breach of faith transpired? What would have been the feelings of this country or the conduct of the government, if, while Andreossy was here during the peace of Amiens he had been detected carrying on a secret intercourse with the anti-unionists of Ireland? Anti-unionist as he was, and friend as he was to the peace of Amiens, he would not have hesitated, had such an event occurred, to advise war, if proper explanation was not offered, were it only through resentment against those who had insulted the honour, and practised against the peace of the country. Or, he would ask, what would have been the feelings of this country, had American agents been discovered carrying on similar treachery in Jamaica? On these grounds, therefore, he thought he might look for a general concurrence in his proposition. In his opinion, the enquiry had better be made by parliament, as attaching more weight to it than the act of any set of men in the country, however respectable. It was not likely that such an officer as sir James Craig, would have so proceeded with capt. Henry without instructions from his government; nor that he would have received such communications as those which had been published, without having transmitted them to the government here. It also appeared, that when capt. Henry claimed his reward, he presented a memorial to the office, at which the noble secretary of state presided, referring to sir James Craig, for his conduct: and had in consequence received a letter to general Prevost, the successor to sir James Craig, recommending him to a valuable office in the country, which that officer governed. That he was authoritatively employed was evident, from what had notoriously passed; and there was strong presumptive evidence, that his Majesty's ministers were not only apprised of, but had in no small degree authorised such an employment of capt. Henry; unless a contradiction was produced as to the authenticity of these papers, or such explanation given, as to vindicate the British government from so gross an imputation. He expressed himself disposed to model his motion in any way that might be thought best calculated to obviate any difficulty or inconvenience, and concluded by moving an address to the Prince Regent, for the production of copies of all the communications made by sir James Craig to his Majesty's Secretary of State, relative to the employment of captain Henry in a secret mission to the United States of America; also, of the correspondence that took place between his Majesty's Secretary of State and sir George Prevost on the subject of compensations claimed by captain Henry for his services; and also copies of all instructions sent to sir James Craig from his Majesty's Secretary of State, relative to the employment of capt. Henry in the United States of America.

The Earl of *Liverpool* agreed with the noble baron that the present was a question of general import, totally unconnected with the line of policy proper to be pursued with respect to America. It stood upon principles, which, according to the circumstances, were applicable to the case of any independent state whatever: It was therefore from a strong sense of public duty that he dissented from the present motion. He would describe the circumstances of the transaction, as far as they had come under his view. In the first place, he had already stated, that the employment of the person in question as an agent by the respectable officer, who then governed in Canada, was never authorised at the time, nor was it even known to his Majesty's government, that such a person had been employed until many months after the transaction. It was true then, in 1808, at the time an important negociation was pending, a person named Lavater, usually resident in Canada, but going to the United States on some private business, had, of his own accord, opened a correspondence with a person connected with the governor of Canada; the purport of which was, the procuration of a species of information, which it was the duty of every officer so circumstanced to acquire. This person returned to Canada about the end of that year; and before he proceeded further, it was proper their lordships should consider the situation in which Canada was then placed, with respect to the government of the United States. In consequence of the Embargo Act very great heat and clamour prevailed in America at the time, and the country assumed a very warlike and menacing attitude. Not only defensive measures were set on foot, but on the 25th of November the governor of Boston received orders to hold 10,000 men, then under his command, in readiness to march at a moment's notice; a circumstance notorious, and stated in the public papers. This was in the province nearest to British North America, and if that force could be applied at all, it was to the invasion of our dominions. Such was the impression on the mind of general Craig, at the time, that he even prevented the expedition then ready for sailing from Halifax against Martinique, under sir G. Prevost, from proceeding, and retained them because he thought our northern possessions in great hazard. But that was not all; on the 13th of November, Congress voted 50,000 volunteers, on the requisition of the executive; of which step Mr. Erskine, our then minister, very properly demanded an explanation. There was no French force in America, there was no British force sufficient to excite jealousy, and therefore, for what possible eventual object could such a measure be adopted, but to attack the British American possessions? The answer of Mr. Madison to Mr. Erskine was, promptly, that the conduct of both the belligerents had been such towards the Americans, as to authorize the commencement of hostilities, without any further notice! Mr. Erskine then very properly sent off an express to sir James Craig, informing him of the circumstance; and also acquainted him from positive information, that Canada or Halifax was the point first to be attacked. These circumstances served at least to throw a light upon the relations in which the two governments stood at the time. But other circumstances might be mentioned. It was put to the vote in Congress whether letters of marque and reprisal should not be issued, and the question was lost by a very small majority. Hostilities did actually commence in the interior, and British boats were stopped on the lakes; but those matters had been reserved for subsequent negociation. The four eastern states of America took the most active measures at the time, with reference to the commencement of hostilities, and their lordships must feel how desirable and necessary it was at the time for the governor of Canada to know the sentiments of the different states. It was a matter of general and notorious speculation, that in the event of a war some degree of separation would take place. The situation of sir J. Craig, under such circumstances was difficult, but he believed that no man would say it was improper. Whatever might be contended as to the question of policy, there could be little on the score of morality, when the state of preparation, and the menacing attitude of the American government were considered; and when it was recollected that they declared hostilities might be commenced without further notice.—But having received communications from Mr. Henry, and thinking that he was well acquainted with the general sentiments of the eastern states, sir J. Craig sent him thither in Feb. 1809.—A great deal which appeared in the papers, however, was false and unfounded; but as far as authentic instruction went, he must contend the directions were not for the purpose of exciting discontent, but wholly for the purpose of obtaining information, which in the event of hostilities, might enable sir J. Craig to avail himself of the prevalent temper and disposition in those states. There was no presumption warranted by any measure adopted by sir J. Craig, that unfair or improper objects were in his view. So far from it, the fact was, that when sir J. Craig heard that the points in discussion were adjusted between Mr. Madison and Mr. Erskine, he sent orders to Mr. Henry to withdraw from the United States; and that proved that all his instructions were given in the contemplation of hostilities. The noble lord who in 1809 had filled the department in government, which he (lord Liverpool) now filled, in sending instructions to sir J. Craig, cautioned him most particularly against the employment of individuals who might disturb the harmony between Great Britain and America. Such was the general spirit of the transaction. With respect to what was said of the applications which were made by Mr. Henry for a remuneration, he had to observe, that when such applications were made, it was naturally an object with him to enquire into the character and conduct of the individual so applying; and on the security of the recommendation from sir James Craig, backed by some most respectable individuals in London, and Mr. Ryland (who was then in this country on leave of absence), and it appearing that Henry had been employed in procuring certain information, and that some remuneration had been promised him for his services, he had no hesitation in saying, that as he thought he had been so employed, and nothing appearing against the character of the individual at the time, he held it his duty, as he should in all cases of the kind, to act as was mentioned in the correspondence with general Prevost. Such a line of conduct was adopted under the impression which a sense of what the individual might have done, in the way of rendering a desirable service, fairly warranted. Neither was it afterwards deemed consistent with delicacy to say any thing which might have reflected in the least upon the character of sir James Craig, who had returned home from his government under a mortal distemper, and had survived but a few months. But he could not think the course adopted by the noble baron the most proper to be taken. It ought rather to be left to our government to adopt such measures as they deemed proper, to explain and set forth the subject in its true light. Neither did he approve of the course pursued by the American executive, which, without requiring explanation, or making any notification to the British minister, had at once laid those papers before Congress. He trusted these were principles and convictions on this delicate question, which their lordships would feel and entertain; and if they saw that no blame could fairly attach to his Majesty's government on the occasion, they would not take the business out of their hands, but would do them the justice to believe they would not be wanting to themselves, or neglect their duty on the occasion; a part of which he felt it to be to resist the motion.

Earl *Grey* conceived the question to be of great importance; and was not surprized to find, that it was impossible for the noble lord to defend the transaction itself. The case had been fully stated by his noble friend (lord Holland), and the character of it was this: that sir James Craig, being governor of Canada, responsible for the defence of it, and apprehensive of an immediate attack, did employ an agent in the United States for distinct purposes. The first purpose for which he employed him, was to obtain information, (a very proper and legitimate object); but the second purpose, a purpose which he wished he had heard authoritatively denied, was to communicate with individuals who were subjects of the United States, and were desirous of separating themselves from the Union. In this second object, sir James Craig had furnished the agent whom he so employed with credentials. It appeared to him, that in thus describing the character of this case, he could not be accused of exaggerating in any degree the features of it. Now as to the first object,—the collecting information as to the state of parties in the country from which attack was meditated; this was a fair precautionary measure in a governor, who contemplated that this province would be shortly attacked; but as to the other object—the communicating with the disaffected subjects of a state with whom we were not at war; this was a proceeding which all writers on the law of nations condemned, and which deserved the marked reprobation of that House. It had been said by the noble lord, that movements had been made by the American commander-in-chief at Boston, which could have no other object but the attack of Canada. It had also been said, that the proposed detaching of so large a portion of the American militia could have no other object. He would grant all this; and he would still say, those motions, indicative of an attack, gave sir James Craig no other right but to take the regular military measures for defence. It gave him a right to assemble troops, to repair fortifications, to establish depots, to collect provisions, and to do all that was necessary for a campaign; but it did not give him a right to endeavour to seduce American subjects from their allegiance to their own country. This was a step which no preparations for war on the part of America could justify. While the two governments were employed in an amicable negociation for peace, it appeared that captain Henry was employed in endeavouring to detach American subjects from their allegiance. On the 20th of April, 1809, which was only two months after the date of his mission, an amicable arrangement was actually concluded between Mr. Erskine and the American government. Was this a fair and legitimate proceeding? The noble Secretary of State had allowed, that seducing subjects from their allegiance could not be justified except in actual war. Now he would go farther, and say, that the mere circumstance of two countries being at war would not justify such conduct. The end of all war was peace; and when the hostile government gave up the object which produced the war, peace ought to follow as of course. But how could this be done, if you seduced the subjects of the state with whom you were at war from their allegiance to their own country? You could not then, by putting an end to your own hostilities, put an end to the civil war that you had kindled up, nor save your partizans in America from the vengeance of their own country. Government would therefore be obliged either to continue the war after all the legitimate objects of it had been obtained, or they must do what would be most dishonourable, give up those friends whom they had excited to hostilities against their own government. If, then, it was extremely doubtful how such conduct could be justified in actual war, there could be no doubt but that it was completely unjustifiable in peace, whatever apprehensions might be entertained of war breaking out. If ministers were to suppose the case their own, and that during a negociation with America, (whatever might be the prospect of its termination) they should catch an American agent in Ireland, sent out with credentials to the leader of the Catholics, or any other great body of people that might be in a state of discontent; if they were to find him not only getting information, but probing their disposition for separation from this country, and encouraging them with the hopes of assistance from America, what would be thought of such conduct? Would it be considered innocent and justifiable, or would it not rather be considered as a violation of the law of nations, and a cause of war? If sir James Craig had pursued a similar conduct in America, it called for a distinct disavowal on the part of ministers, and a marked reprobation on the part of that House. The noble lord admitted that those letters had been afterwards communicated to the Secretary of State, and he acknowledged the receipt of them. There was no evidence, however, of any disapprobation being ever expressed by him; but, on the contrary, he only bade the governor be cautious in the employment of such agents, "for fear of involving the country in a quarrel with America." There was no disapprobation of the principle, but merely a recommendation to use caution. Under such circumstances, he thought the House was called upon explicitly to condemn the principle; and if they did not do so, they must for the future, be silent with respect to any similar breach of good faith on the part of France or any other government. The noble lord had said, and in that he perfectly coincided with him, that it was much to be lamented that the American government did not make their complaint to the British government in the regular way, instead of laying the case before Congress in the manner they had done. That course would certainly have been more regular, more decorous, and more consistent with that spirit of conciliation which he still hoped was not extinct in America. As it had been brought forward however, there was no wonder that it produced considerable inflammation in the minds of the Americans. We had been now charged in the face of the world with a great breach of faith and violation of the law of nations. He saw no way by which satisfaction could be given to the Americans on this point, or the honour of this country be cleared, except by an absolute denial on the part of ministers, or a condemnation of the measure by parliament. He must say, that he thought that the noble lord had been somewhat incautious in recommending this person to a high employment in Canada, after he had read those documents on which alone his claim to reward was founded. As the transaction had been made known to government, without being formally disapproved of by them, he thought it was necessary for parliament now to interfere; and upon this ground he should support the motion.

Viscount *Sidmouth,* since he had the honour of a seat in that House, had never heard of a case so greatly exaggerated. He could see no reason for their lordships to accede to the present motion; because neither at the present time, nor at any other, had there been any grounds laid to accuse ministers of a violation of the law of nations. If it were even admitted that sir James Craig, in his anxiety to protect the province entrusted to his care, had overstepped the strict limits of political discretion, there still existed no pretence whatever to accuse ministers, who were completely ignorant of the transaction. His lordship would not enter into minute details on the mission of capt. Henry, but would beg of the House to consider dispassionately the line of conduct adopted by sir James Craig. He had taken that step at a time when hostilities were considered as on the point of breaking out between this country and America; but as soon as there was a probability that the differences between the two countries might be settled in an amicable manner, the project was abandoned, and the agent recalled. In fact, sir James Craig, in a moment of danger, had employed a person to ascertain the dispositions of the inhabitants of those districts contiguous to his government. He was not directed to excite discontents, but to observe any disposition that he might find favourable to the British cause. This was only prospective to a state of warfare; for sir James Craig had never intended, as experience had afterwards proved, to proceed a step further in the business, if any hope could be once entertained of an amicable settlement. Such was the line of demarcation which sir James Craig had very properly laid out for himself. A close examination of the documents published in America, would prove that the government of this country were totally ignorant of captain Henry's mission. In fact, they knew nothing on the subject until the month of August, 1809. The noble earl had said, indeed, that the noble Secretary of State had given an implied approbation to captain Henry's appointment. But this was stretching the argument rather too far. The transaction had been abandoned for two years, without having produced any result, when it came to the knowledge of the noble Secretary of State; and because he had thought it proper not to notice it then, it was too much to say that his silence was to be construed into an implied approbation. He maintained, that the publishing of the whole correspondence of sir James Craig relating to captain Henry would be attended with serious inconveniency to the public, as it would disclose the names of those American subjects who were represented as friendly to the British cause, or disposed to effect a change in their own government. His noble friend had placed the question in its true point of view, by stating that there was no presumption whatever of guilt against ministers. They not only had not approved capt. Henry's mission, but they had not even had a knowledge of it. Under all those circumstances, he entreated the House, as a branch of the legislature, not to encroach on the functions of the executive government, which ought never to be done except in cases of extreme necessity; but to leave the present affair to be settled by mutual explications between his Majesty's ministers and the American government.

The Marquis of *Lansdowne* observed, that the noble viscount who had just sat down should have recollected, while expatiating on the danger attending the publication of the papers demanded, that his noble friend (lord Holland) had, with that tender anxiety for the welfare of his country, by which he was so eminently characterized, offered to model his motion in any shape the noble Secretary of State might think proper, in order to obviate every difficulty. But if it was true, as stated by the noble viscount, that his Majesty's ministers knew nothing of captain Henry's mission, how could any improper disclosure be made by publishing their correspondence with sir James Craig on that subject?—A plain unvarnished explanation of all the circumstances attending that intrigue, his lordship considered as the best mode of doing away the effects of exaggeration, and of allaying the ferment which the discovery had created in the minds of the Americans. Adverting to the distinction established by the noble viscount, between an emissary exciting disturbances, or availing himself of the disaffection he found among the people, he declared that he saw hardly any difference in the degree of guilt, and put the case of a French agent intriguing in Ireland with the disaffected he might find in that country, whilst an accredited agent of the same nation should be carrying on a friendly negociation with the government in England. This was precisely what had been done in America. He allowed that the American government had adopted the most indecorous mode of publishing the accusation; but could it be maintained that because the charge was not regular, we, instead of rebutting it, ought to give it no answer whatever? If there was a people bound to us by a tye, it was America, and if that tye had not been touched, it must have been cut by the message of Henry to that country, and by the general hostility of this country, thereby held out towards America, to provoke it into a quarrel with us; which might the more easily be fomented, in consequence of the after recommendation of Henry by this country to sir George Prevost, who, from considering him as a person once employed on a mission of a treacherous nature might suppose him fit to be employed once more in that capacity. He concluded by giving his hearty concurrence to the motion of his noble friend, as necessary to vindicate the national character.

Lord *Mulgrave* thought this question did not at all affect the character of government, as ministers had no connection with the transaction, of which they were entirely ignorant; but it was a question purely respecting the late sir James Craig, and the manner he had conducted himself in his government. It had been his good fortune, in his military life, to be acquainted with that gallant officer; he knew his honourable and elevated mind, and was convinced that his only object was to defend the colony entrusted to him; and if he had taken any step that was not strictly justifiable by the law of nations, it was from error only, and not from any intention to violate it. He conceived this question to be purely a question relating to sir James Craig, and not at all a question relating to the government. The motives which induced sir James Craig to employ this agent were only known to himself; and as he was now no more, it would not be possible for any papers that could be laid before the House to explain what was the only thing to be explained,—the motives which influenced sir James Craig to employ this agent. If he was wrong, an apology could not now be had from a person who had ceased to exist. In the present state of the business, he thought that it ought to be left entirely to the executive government, to give to America what explanations might be demanded on the subject.

The Earl of *Lauderdale* was of opinion, that sir J. Craig, by recalling the agent as soon as he understood that the negociation was taking a favourable turn, proved that he knew he had been violating, in some degree, the law of nations. He thought that the noble Secretary of State furnished some more evidence of that nature in his letter recommending extreme caution. The noble lord had not expressed disapprobation of the principle of employing such agents, but merely recommended extreme caution, "for fear of getting into a quarrel with the United States." The wording of this letter appeared to him like proof positive, that instructions had been antecedently given respecting the employment of such agents when at a time when the noble viscount (lord Sidmouth) stated, that they had heard nothing about the case of captain Henry in particular, the noble Secretary still thought it necessary to advise "extreme caution" in the employment of agents. The noble lord (lord Mulgrave) had conceived it merely a question respecting sir James Craig. It appeared to him, however, a question affecting the government and the honour of the country; and he thought that the House would be deserting its duty, if they were to leave it now entirely to the executive government. Every explanation ought to be afforded, else what security had the United States that there was not another captain Henry, pursuing a similar conduct in that country, at this moment? It was not a cause between Great Britain and the United States of America, but one between Great Britain and the world.

The Earl of *Westmoreland* entered into a defence of ministers, whom he considered absolved from all shadow of blame in reference to the transactions carried on by captain Henry. Were they not so, however, he should decidedly give his dissent to the motion of the noble lord, for he believed it was unprecedented in the annals of history, or in those of parliamentary proceedings, that a legislative body had so interfered with the executive as to take from the latter that right of granting explanation which belonged to it. The subject was certainly one, with regard to which it was incumbent on government to come to an immediate explanation with America: and while communications of this sort were in train, he should oppose the production of the papers now called for.

The Earl of *Darnley* could not refrain from saying a few words upon the question, feeling, as he did, for the honour of his country, and for the honour of that House. He begged leave most distinctly to enter his protest against the measure which their lordships then had before them. It was utterly indefensible upon every principle, whether that of the law of nations, or that of common honour and honesty, without which no society could be held together. Even were it not against the declarations of Grotius and Vattel, it would be against the dictates of common sense. He was a little surprized at the arguments employed by the noble viscount in palliation, if not in justification, of the proceeding; for, it was in the recollection of the House, that the noble viscount had repeatedly called upon their lordships to vindicate the character of the British nation in the affair of Copenhagen, though that was certainly not more flagrantly unjust than the mission of captain Henry. He was glad to hear it asserted, however, that government had nothing to do with it. So much the better for the honour of those who constituted the government. Yet, he could not but remember, that this renunciation of all participation rested solely upon their assertion, while presumptive evidence was very strong against them. The letter from Henry to sir J. Craig, dated in June 1809, in which he talked of "the approbation which his conduct had received from his Majesty's ministers" involved a strong presumption that the honour of the country had been compromised, and demanded the fullest explanation on the part of ministers. If they would grant the enquiry that was wished by his noble friend, the matter would at once be cleared up; but, as it was, it certainly did appear that captain Henry was employed, if not specifically by the government, yet certainly by the agents of government, to foment disunion in a friendly state, to excite discord and rebellion in a country in amity with ours. Such being the fact, he stood up in that House, the humble but determined advocate for the honour of his country, and he called upon the noble lords opposite to rescue that honour from the foul disgrace which obscured it, by the production of such documents as would prove, not only to England, but to Europe, to America, and to the world, that we had no share in so unjustifiable a measure. He should conclude, therefore, with giving his hearty assent to the motion of his noble friend.

Lord *Holland* observed, that he should not feel he had done his duty if he suffered their lordships to divide without offering a few observations upon some points which had been urged by the noble lords opposite; and without expressing the deep humiliation he felt at the scene he had witnessed that night, and his abhorrence and disgust at this sort of side-wind justification of treachery and perfidy which had been attempted to be set up. Ministers disclaimed all direct justification; they did not attempt to offer any positive defence, but they sought to shelter themselves behind the poor subterfuge of throwing all the responsibility upon the memory of sir James Craig. While they affected to panegyrize sir J. Craig, they did every thing they could to degrade him. Such was their friendship for a gallant and distinguished officer, for a man who had adorned the profession to which he belonged! But how could he express his astonishment at the arguments brought forward by the noble viscount! *Et tu Brute!* What! he who had felt so acutely, he who had displayed such sensibility, he who had laboured to arouse every feeling of indignation in that House, and in the country, against the authors of the Copenhagen expedition, now to defend, at least to palliate, a measure certainly not less a violation of every acknowledged law of nations, than of every instinctive feeling of honour and good faith! The noble viscount called the whole business a mere exaggeration, and was surprised that so much fuss should be made about a poor harmless man going into a friendly state preaching rebellion, and fomenting disunion; he never heard of such a thing before! It was altogether inexplicable to him! But did not the noble viscount hold up France to the detestation of all Europe, did he not exhibit her government in the most odious colours, because an accredited French consul, at Dublin, was detected in making soundings of the harbour, and in procuring other local information as to its defences? And what could that be called but obtaining necessary information? Had the noble lord forgotten also the horror in which Sebastiani's mission to Egypt had been held by the government of this country? But no matter: it was all exaggeration. The charges now brought against the British government were nothing, it should seem, when compared with these; and all that this Henry was employed about, was merely to obtain information! For the honour of the British name, he would trust it was so: but at the same time presumptions were strongly the other way: and all he wanted was a clear official declaration from the throne, such as would repel the charge, to the satisfaction not only of this country, but of other nations. He certainly concurred in opinion, that it would have been more prudent on the part of the American government, if they had asked for explanation, before they published the documents which came into their possession; but whatever might be said of this, it was the first duty of our government to refute the charge that had been brought against them. Let us have proof what was forgery, and what was the truth; and let the whole matter be explained in the face of the country and of Europe. The reward which it was proposed to confer on Henry could not fail to give rise to serious reflections. He was to be made one of the judges of his Majesty's subjects, in recompence for conduct which disgraced himself, and disgraced the minister who employed him on such a mission! Upon the whole, a public charge had been made, and it was the duty of government to refute it in the eye of the world. The refutation should be as public as the imputation; and nothing could satisfy the honour of the country, unless it was ample and satisfactory.

One objection that had been strongly urged against his motion was, the impolicy of making such disclosures as the production of the papers would lead to. He begged leave, however, to state, that he wished for no disclosures that would unnecessarily affect the interests either of countries or individuals, and he was willing to narrow his motion in any way that would enable him to obtain the specific information he desired. In making his motion, also, he disclaimed any view as to what might be the temper of the American government, but he must say, that if they or any individual received such an explanation as had been given that day, they could not be expected to sit down very contentedly with it. Much as he desired peace with America, and much as he deprecated a war with her, he would not purchase the one or avoid the other at the expence of his country's honour. His sole object in making the motion was to refute the charge brought against the English government, if it could be done; and if not, to punish those with whom the guilt lay; but, in refusing all enquiry, they were giving the world no answer to that charge. They might say, in that House, it was partly false, or partly true; but such allegation was no solemn and authentic disavowal to America, or to Europe, and it remained therefore, in fact, unrefuted.

The House then divided, when the numbers were, Contents, 27; Non-Contents, 73; Majority 46.

HOUSE OF COMMONS.

Tuesday, May 5.

Petitions from Renfrew, Irvine, Cork, and the Packers of Wool employed by the East India Company, respecting the Renewal of the Company's Charter.] A Petition of several freeholders in, and commissioners of supply for, the county of Renfrew, was presented and read; setting forth,

"That the petitioners, considering the exclusive privileges enjoyed by the East India Company to be highly injurious to the country at large, without even being beneficial to that Company, do humbly submit, that the opening the trade, exclusively enjoyed by that Company, to the enterprise and industry of the country, would be productive of the most decided advantages; and that the petitioners do further submit, that in opening this trade to the country, the advantage of it would be lost were the import to be confined to the port of London; and that for so confining it there is no good reason, there being at the principal outports such complete security afforded for the collection of the revenue as to preclude the hazard of either loss or inconvenience; and the petitioners do therefore most humbly pray that the trade at present exclusively enjoyed by the East India Company may be laid open to the country, and that the benefit of its import may be extended to the out ports."

A Petition of the provost magistrates and common council of the royal burgh of Irvine, was also presented and read; setting forth,

"That, as the exclusive Charter of the East India Company is about to expire, and the renewal of it at present under the consideration of parliament, the petitioners beg leave respectfully to lay their wishes on this great national measure before the House; and, in doing this, they have not the smallest desire to interfere in any degree with the civil or military government of India, or with the internal arrangements of the Company; all that they humbly solicit is, that the exclusive privileges which the India Company at present enjoy, should not be renewed, and that all the subjects of the United Kingdom may in future participate in the advantages of a free trade with the British possessions in India, similar to what the subjects of all other governments in amity with this country at present enjoy; and that, when the House sees the ports of almost all Europe, as well as of the United States of America, shut against the trade and manufactures of Great Britain, the petitioners humbly trust they will consider their request reasonable, and grant them such relief as to the House in its wisdom shall seem fit."

A Petition of the merchants, traders, and principal inhabitants of the city of Cork, was also presented and read; setting forth,

"That the Charter granted to the East India Company creates a monopoly in trade to the injury of the commercial interests of the empire, and lessens that enterprize by which the prosperity of the nation at large is so essentially promoted, and is characterized by the aggravated hardship of excluding the British merchant from a trade enjoyed by foreigners; and that the petitioners firmly believe that, by the abolition of the East India monopoly, new and extensive markets will be necessarily opened for the trade of the United Kingdom, which will render the empire more independent of all commercial relations with the continent of Europe than it has hitherto been, and cannot fail materially to increase its naval strength and financial resources; and that the petitioners humbly and earnestly implore that the House will adopt the necessary measures for the total abolition of the commercial monopoly of the East India Company, at the expiration of their present Charter, and thereby promote the commerce and manufactures of the empire."

A Petition of several packers employed by the United East India Company in their woollen department, was also presented and read; setting forth,

"That the petitioners, together with all others engaged in the woollen trade, feel most sensibly the distressed situation of the commercial interest of the country, not only as a subject of sympathy, but by its pressure upon that branch in which they are immediately concerned; and that, as tradesmen employed by the East India Company, they are obliged to serve a regular apprenticeship, and to possess other qualifications in order to make them competent to be elected into their service; and that one of the requisite qualifications is possession of warehouses and premises sufficiently convenient and extensive to carry on the packing business of the Company, and that such premises and establishments are now very valuable; but, in the event of the removal of the Company's business to the outports, this property would be very greatly deteriorated in common with other freehold and leasehold property in the city of London; and that the removal of the India trade from the metropolis, after the great length of time it has been established, would be attended with many serious evils, one of which is the depriving thousands of persons of a comfortable subsistence; if this deprecated event were to take place, its effect would be only to transfer the Indian trade from one set of men to another, without the smallest advantage to the interests of the nation at large; and that the confidence reposed in the petitioners by the Company is great, as will appear when it is considered that the value of woollen manufactures coming under their final care, till ready for shipping, amounts to one million sterling per annum; and that great economy is practised by the Company in the preparation and packing of the woollens, but they are in the habit of delivering out the goods in the raw state, week by week; from the month of February till the month of October this system gives constant and regular employment to the various branches of trade concerned, which, together with the certain punctual payment at stipulated periods, render the employment valuable to the petitioners; and that such has been the conduct and care of the Company's servants in this branch, and such the excellent regulations laid down by the Company, that a serious complaint from abroad is unknown, and the Company's mark and seal still continue to be received with confidence throughout the whole extent of their great acquisitions in India, as well as the more extensive empire of China; and it may be said that a bulse of diamonds is not accepted with greater confidence than a bale of woollens under the mark and seal of the East India Company; and that every market has been tried, and every invention exerted, to increase the consumption of woollens, particularly in India proper, but the few wants of the natives, their pecuniary incapacity to purchase, together with their different casts, religion and climate, form a barrier hitherto insurmountable; and that the China market has at all times been fully supplied, to the extent of the indent required; but such is the spirit of speculation, such the rage for adventure, that, notwithstanding the very dreadful events and failures that have taken place in the two last years, in consequence of the immense export of goods to South America, it cannot be doubted that new speculators would arise, perhaps so totally ignorant of the trade, as to overwhelm the market with goods, thereby producing ruin not only to themselves, but also to the steady, moderate, and to the country advantageous trade of the East India Company, and, in consequence, to the petitioners in common with the incalculable number of persons employed by the said Company; and praying, that the various Petitions presented to the House against the renewal of the East India Company's Charter, and for the opening of the trade to India and China, may not be granted."

The said Petitions were ordered to lie upon the table.

UNLAWFUL OATHS' BILL.] Mr. Secretary *Ryder* rose, in pursuance of his notice, to move for leave to bring in a Bill to render more effectual the act of the 37th of the King, ch. 123, for more effectually preventing the administering or taking of unlawful Oaths. In performing the painful task which had devolved upon him at this most momentous crisis, of increasing the penalties already attached to the commission of the offences which the Bill he had mentioned was meant to prevent, it could scarcely be necessary to call the attention of the House to the disturbances which had lately taken place in different parts of the country—disturbances which had been characterised by the utmost atrocity, and during which the destruction of private property had been enormous. These outrages were sufficiently notorious to require comment. In the course of those lawless proceedings, however, a system of organization and plan had been pursued, which required the utmost energy of the legislature to destroy. He alluded to the formation of associations, who bound themselves by solemn oaths, to the performance of the most rash and daring undertakings. Throughout the counties of York, Lancaster and Nottingham, it had been discovered that a great variety of those unlawful oaths had been administered, and that the system had prevailed to a very alarming extent. He held in his hand the copy of one of these oaths, which was found in the pocket of a man who was killed in a wanton attack on the house of a most respectable individual, a Mr. Burton, which sufficiently proved the necessity of adopting some immediate remedy to prevent the contagion from spreading more widely. It was to the following effect:—"I *A. B.* voluntarily make oath that I will never reveal, to any individual in any place under the canopy of heaven, the names of any of the persons composing the Secret Committee; and that neither by word nor by deed, I will divulge their complexion, form, appearance, or any thing else which may lead to a discovery of their persons, under penalty of being put out of the world by the first brother who shall meet me after I have committed any such act, and after death of being remembered with abhorrence and detestation; and, finally, that I will punish by death any traitor or traitors who shall be guilty of such conduct; and, should he fly to the verge of the nation, that I will pursue him with unceasing vengeance." Such was the complexion of the oaths which there was reason to apprehend had been administered in various parts of the kingdom, and what was doubly unfortunate, since the dangerous practice had existed, there had been more attempts at murder, more acts of assassination than had ever before been known in the history of the empire. Under these circumstances it became incumbent on the legislature to adopt some measure more severe, some punishment more awful than that which was inflicted for such offences by the statute now in existence. The safety of the loyal part of the inhabitants of the country imperiously called for such a measure, and he had no doubt parliament would agree with his Majesty's government in the expediency of applying an instantaneous remedy to prevent the further progress of practices, the horrors likely to arise from the continuation of which, it would be impossible to estimate. He had therefore to propose, that the taking or administering of an oath binding the party to the commission of an illegal offence, should be deemed a capital felony without benefit of clergy. He had it in contemplation however to insert a provision, that any person who should have taken such unlawful oath, and should come forward before a charge was made against him of such unlawful act, confess his guilt before a magistrate, and take the oath of allegiance, should be exempted from the penalties of the act. The right hon. gentleman then moved for leave to bring in a Bill to amend the act of the 37th of the King, ch. 123, according to these suggestions.

Mr. *C. W. Wynn* said, he did not rise to oppose the motion of the right hon. gentleman at present, but to offer a few observations on the proposition which had just been submitted to the House. He thought the legislature ought not to enact capital punishments, without the most mature consideration, and could by no means agree in the expediency of the measure about to be introduced by the right hon. the Secretary of State. It was a vital principle of the English law to distinguish between the intention to commit a crime, and the actual commission of that crime. In no one instance, except in cases of high treason, was the fact of conspiracy to commit an offence considered as culpable as the crime itself. But in the present instance, it was proposed to make the conspiring to commit a murder an offence to meet with equal punishment as the murder itself. This was a principle so directly opposite to British jurisprudence, that he could by no means give it his sanction. By the law, as it at present stood, persons administering unlawful oaths were liable to seven years' transportation, which he considered a punishment in all respects sufficient for the offence. If the crime of administering or taking the oath was to be pronounced capital, the argument upon the part of the offender naturally would be, that he might as well commit the offence he had sworn to do as not, for the punishment in either cases would be the same. With respect to the proposal that the offender should not be punished if he confessed his guilt and consented to swear himself back into allegiance, he thought the public would have very little security that such a person would continue a good subject. For the total inefficiency of all political oaths, the hon. gentleman referred to a letter of Mr. Speaker Onslow, as printed in Coxe's Memoirs of sir Robert Walpole.

Mr. *Horner* had no idea of waiting for a future stage of the Bill to give it his opposition. Conceiving it to be a measure highly objectionable, as well as inconsistent with the principles of the constitution, he should oppose its introduction altogether. In his opinion, nothing was more dangerous than to attempt to legislate in the present awful aspect of our affairs, by an increased severity of our criminal laws. No man lamented more sincerely the dreadful nature of the insurrection which had been stated by the right hon. the Secretary of State than himself; but in what degree the distresses in which the discontent originated were attributable to the present government, was a question which he did not mean then to introduce. He could not withhold the observation, however, as he had it constantly before him, that although he believed great part of the distresses of the kingdom could not be avoided by any human foresight, yet that those distresses were aggravated and increased by the commercial and political policy adopted by the present ministers of the crown. By an alteration in that policy, which in his estimation was destructive of the very existence of the country, he had no doubt that much benefit would be derived, although he did not mean to say a complete cure would be effected. Any new enactment of a capital felony was contrary to English jurisprudence, and contrary to the maxims which had at all times been countenanced by that House, and from which he conceived the House would be extremely reluctant to depart. Of all the objections to the proposed measure, none, in his opinion, was more cogent than that of its making no distinction between the contemplation and the commission of the offence. This was one of the instances in which the present as well as former governments had endeavoured to get rid of their difficulties by applying to the legislature for new laws, careless of what the result of those laws might be. He would ask why they did not try the effect of the laws passed in 1797? Why did they not let a special commission go down and try the offenders by existing laws? If that was ineffectual, they might then apply with better reason for a new Bill; but until they had made the experiment, he trusted the House would agree with him in opposing the Bill altogether.

The *Chancellor of the Exchequer* was happy to find that some of the proceedings of his Majesty's government had met with the approbation of the hon. gentleman who had just sat down. For he had to assure him, that it had already been determined that no time should be lost in dispatching a special commission to try those offenders, who had been discovered. In viewing the enormities which had already been committed in those parts of the country which had been most conspicuous in the late disturbances, he conceived he should not be performing his duty to the loyal part of the community, if he did not use his endeavours to protect their lives by a new law from the attacks of those who set all former laws at defiance. What did the hon. and learned gentleman mean by trying the experiment of the law of 1797? Was the House to go on to try the experiment from week to week, and from month to month, to see how much property would be demolished, or how many persons would be assassinated? If the hon. and learned gent. had the information which his Majesty's government were daily receiving from all parts of the country, of increasing alarm and danger, he would indeed see that any delay for the trial of experiments would be at the expence of the lives of his Majesty's peaceable subjects, who had no protection for their property, or from being shot on the highway—and yet the House was to be told that they should wait the event of a special commission, till a jury was summoned, and, in effect, till the punishment of transportation was tried; and if that was found inefficacious, they must wait till next sessions for a new Bill to relieve the country from the most horrid outrages. If the hon. and learned gentleman was in the neighbourhood of those disturbances, if he was called upon to defend himself or his neighbours from the attacks of these ruffians, he would not be inclined to propose any such delay. With respect to the arguments which had been used against making the punishment for the conspiracy equal to that for the offence, he would ask, could it be called a bare conspiracy where a number of persons went from place to place administering by compulsion, oaths, which bound the individuals taking them to the commission of the most atrocious offences, than which he could not conceive in malice or human depravity, a more dangerous or pernicious practice? In fact, it was scarce short of high treason; the only difference being, that in one instance the treason was against the sovereign himself, and in the other against the state. The hon. gentleman had stated that the government was not justified in resorting to any new enactment of capital punishments. Did he mean to assert then that whatever might be the difficulties into which the country might be plunged, the ministers of the crown were not justified in resorting to those measures of salvation which they might deem essential to the preservation of the people? Could any doctrine be more futile, or more at variance with the feelings of the nation at large? The hon. and learned gentleman had said that this was one of the frequent attempts of government to provide for an extremity by an immediate enactment: he (the Chancellor of the Exchequer) might with much greater truth assert, that the present was only one of the frequent attempts made by gentlemen opposite to defeat the measures of government, the objects of which were the security and salvation of the state. The hon. and learned gentleman had also said, and justly said, that a great part of the calamities were attributable to circumstances over which no government could have controul; but when he proceeded to state that ministers were the cause of those mischiefs, he hoped and trusted he spoke conscientiously, but that such language at the present momentous and awful crisis would be attended with most mischievous effects, he had every reason to apprehend. That the assertions were unfounded he was perfectly confident. In those districts where riot and confusion had been most predominant, it had been discovered that those who were most instrumental to the disturbances were not in want of work; and from what he heard from all quarters he had every reason to believe the leaders of the rioters were actuated by any other motive than distress to their lawless proceedings. The hon. and learned gentleman had then proceeded to state that the effect of the Bill would be to induce those who had already taken the oath, to pursue their course of iniquity, regardless of the consequences, as by their anticipation of the crime they were equally as guilty and as liable to punishment as if they had completed it. If the principle of the Bill really went to this extent, it would certainly be highly objectionable, but the House would recollect that it was not to have a retrospective effect, and that a clause of indemnity was inserted, by which persons having taken the oath of allegiance would be relieved from the effects of the act. It had been said, that this sanguinary law would have no effect whatever. In answer to this, he could only cite an instance, in which a measure somewhat similar had been attended with the greatest advantage. He alluded to the act passed to prevent the seduction of soldiers from their allegiance. In that case only one individual had been taken up, which was two days after the passing of the act, he was capitally convicted, but was not executed in consequence of its being supposed that he was not aware of the provisions of the act. The effect of this example was, however, to put a complete stop to the commission of the offence; an effect which he had every reason to anticipate upon the present occasion. He hoped, under all the circumstances of the case, the House would have no objection to the introduction of the Bill, which he conceived was no more than the loyal part of his Majesty's subjects had a right to expect of the hands of government.

Mr. *Brougham* observed, that the Chancellor of the Exchequer had made two attempts that might well have been spared;

the one was to combine and mix up the gentlemen who opposed this Bill with the supporters of the disgraceful disturbances that convulsed the empire—the other to persuade the nation that those who resisted this Bill, did so because it was a measure calculated to support the law and constitution of the realm. Upon this unfounded assertion, certain members, particularly an hon. gentleman and a noble lord, set up a cheer, as if the mere statement of the Chancellor of the Exchequer was only necessary to convince them, that nothing more was necessary to induce the opposition to open their mouths but to bring forward a measure beneficial to the country. What was the true ground on which the resistance was founded? Because it was thought that the Bill would be highly injurious in its effects. If it were likely that this measure would prevent murder, assassination, or riot, it would be cheerfully supported, or if it were not, such members as objected would well deserve punishment, besides the disagreeable cries that gentlemen on the other side seemed to vie with each other in uttering. The great objection to the proposition was, that it mixed up two offences, one the taking of an oath, (comparatively slight) the other the actual perpetration of a murder! Was there no law existing to prevent the former? Had it been tried? If not, why was it not resorted to and enforced by a special commission? The Bill of 1797 inflicted not a very slight punishment, and it was brought in by a minister full as bold, and perhaps a little more able, than the right hon. gentleman, at a period, too, of much more threatening danger than the present. "But," said the Chancellor of the Exchequer, "you must not delay an instant," and what was his conduct? Instead of enforcing a law already existing, the vigour of which could be called forth in an instant, he suggested a new Bill, which would take weeks in debating and passing through its various stages in both Houses of Parliament—nothing could exceed the disparity between the law against the seduction of soldiers, and that now proposed, and he maintained that no man, not even the Chancellor of the Exchequer, could tell against whom this law was to be carried into execution. It was true it mentioned a brotherhood, but government was wholly ignorant of whom it was composed. As an act now existed, in his opinion, competent to the prevention of the crime complained of, he resisted this Bill.

Mr. *Stephen* expressed his surprise at finding, on entering the House, the hon. and learned gentleman (Mr. Horner) who he believed was so anxious to proceed in the investigation of the causes of the present distresses of the country, contributing to extend a debate, which was inconsistent with the usages of the House in that stage of a Bill, and thereby defeating his own object. He did not mean to say that the introduction of a new capital punishment did not deserve discussion, but on an awful and interesting occasion like this, when the peace and tranquillity, nay, the very existence of the country was at stake, he could not help deprecating an opposition which seemed wholly founded upon party prejudices.

Mr. *Horner* spoke to order, conceiving himself improperly accused of being influenced by party spirit, in his opposition to this measure.

Mr. *Stephen* did not believe that he had gone beyond the usual rules of debate: his unfeigned respect for the hon. and learned gentleman increased his surprize, that he should think fit to give the Bill his opposition in this early stage. The very next order of the day was an enquiry into what it was contended was the cause of the commercial distresses, but gentlemen in their anxiety could not restrain themselves until it were concluded, but introduced topics with censurable warmth, which had little or no relation to the subject of debate, and which had only the effect of fomenting the disturbances they complained of. They held out to the lawless rabble that murdered without mercy, and burned without reason, a sort of salvo for their consciences, by telling them that the conduct of government had given cause for their proceedings. He was unwilling to inflict capital punishments excepting in extreme cases, but here it was imperatively demanded. Learned jurists, in former times, had expressed fears lest bad laws should be passed without opposition and remark; had they lived in the present day they would have changed their opinion, and even have added, that not even good laws could be passed without resistance. He strenuously insisted, that the danger was threatening and extensive. That the criminals were resolute, and required a strong arm to suppress them, was evident from the fact that in the attack upon Mr. Burton's manufactory, although eight were killed and many wounded, yet on the succeeding day, the premises were burned to the ground. If the government, knowing these facts, had omitted a single day in bringing forward a measure to counteract them, it would have been worthy of the indignation and contempt of the country.

Mr. *Whitbread* admitted that his hon. and learned friend (Mr. Horner) had no just ground for speaking to order; since the remark that party-spirit had dictated this opposition was a trite observation which usually proceeded from the most zealous partizans. Whether considering the situation and conduct of the hon. and learned gentleman who made the accusation, it were at all decent, was another question. That hon. gent. had entered the House pledged to the support of a certain set of measures—

Mr. *Stephen* rose to order, and the Speaker determined in his favour.

Mr. *Whitbread* continued, that reflecting on all those circumstances, all he meant to say was, that he thought the accuser must be deemed to be quite as much embued with party spirit as the accused. He, however, was sorry that the acuteness of the hon. and learned member's feelings had induced him to take offence: he (Mr. W.) would not have followed the example had it not been previously set: nor was the hon. and learned member a pattern of that coolness, which he had recommended. He (Mr. W.) insisted that it was perfectly true, that if the measures of government had not created they had augmented the distresses of the inhabitants of the manufacturing counties, and it was now proposed to punish them for crimes of which they had in a manner promoted the commission. The censure so liberally bestowed upon the introduction of extraneous topics, if carried to its full extent, would put a stop to all freedom of discussion, or close the doors upon the public. Either its effect would be such, or the remark would be only idle nonsense. The solidity of the honourable member's judgment, and the facility with which he was carried away by his feelings, would not be less questionable, when it was recollected that he had declared on a former occasion, he would have convicted a man for the murder of another left on a desert island, who was now alive and enjoying prosperity. He did not deny that the motives on the one side of the House were good, and he claimed equal credit for the other, which maintained that the Bill would augment instead of diminishing the evil. If it were necessary that no time should be lost, why was not the Bill introduced long ago? One great objection to it in his mind was, that it resorted to the *ultimum supplicium* for a comparatively slight offence, unless ministers intended to proceed to re-enact the statutes of Henry 8, which directed that for particular crimes the offenders should be boiled. This conduct certainly would not be without support, and that of modern date, and from high authority, since the Chancellor for Ireland in the year 1798, justified the infliction of torture. The good that would result from this Bill might be easily ascertained, from observing the very beneficial effects produced by the Nottingham Bill. How many criminals had been either discovered or punished under it? Another principal reason which induced him to resist the progress of this Bill, was, that no distinction was made between the crime of taking an unlawful oath, and the assassination of a man: he should therefore vote against this Bill, not from party spirit, but on public grounds.

Mr. *Lockhart* spoke in support of the motion.

Mr. *Abercromby* contended against it, insisting that a committee to enquire into the facts ought first to have been appointed. If the country were generally disturbed, it was to be presumed that some cause existed, to which the riots were to be attributed.

Mr. *Bathurst* argued, that the riots ought first to be subdued, and the cause which gave rise to them afterwards examined. Riots might exist without any just or sufficient cause for them.

Mr. *Abercromby* in explanation observed, that what he had said was, that he believed there never was a general insurrection of the people without cause.

Mr. *Marryat* contended against the in troduction of the Orders in Council into every debate. They were made a sort of standing dish: they had already been served up for dinner, and he supposed the House would be again treated with them for supper. He expressed himself in favour of the Bill.

Mr. *Hibbert* begged to be informed, if any attempt had ever been made to carry the Act of the 37th of the King into effect? If not, the trial of that law should first be made.

Mr. *Giddy*, although he was generally averse to any extension of the penal code, or aggravation of the punishments provided therein, was of opinion that the system recently pursued of destroying machinery, was in itself so mischievous, and bore so strongly the appearance of proceeding from the instigation of the enemy's emissaries, that he could not withhold his assent from the motion of the right hon. the Secretary of State. In ordinary cases he would be glad to try if existing laws were sufficient to stop an evil. But, good God! when men were thus associated by thousands to murder those who differed from them, was it a time to be sitting there, debating upon systems? Was it a time to hesitate when parliament saw diabolical designs carried into execution, which could not from their nature proceed from an ignorant multitude, but must be planned by higher talents, whether foreign or domestic he could not say, but which unless they burnt the standing corn before harvest, were better calculated than any others which could be adopted to bring misery and starvation upon the people? He lamented that stronger measures had not already been resorted to; and he hoped that if the present Bill failed in remedying the evil, martial law would be proclaimed. It was idle to talk of scales of punishment, when the laws themselves were contemned and set at defiance.

Leave was then given to bring in the Bill.

COMMITTEE ON THE ORDERS IN COUNCIL.] The House, in pursuance of the arrangement proposed by Mr. Brougham on the preceding night, proceeded to call further evidence; Mr. Cooke, Mr. Illidge, Mr. Jos. Stanley, Mr. T. Ostler, Mr. Joshua Scholefield, Mr. H. Dunbar, Mr. W. Bannister, Mr. T. Clark, Mr. B. Smith, Mr. T. Milward and Mr. R. Watson were then examined. On a question put to the last witness by Mr. Stephen, a discussion of some length took place, in which Mr. Brougham, the Chancellor of the Exchequer, Mr. Canning, and Mr. Tierney took a part. On a motion of Mr. Brougham for expunging the question, the House divided,

For the Motion	70
Against it	75
Majority	—5

RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] The *Chancellor of the Exchequer* intimated, that in consequence of the advanced state of the session, and various other important considerations, it was not his intention to submit any measure relative to the renewal of the East India Company's Charter, during the present session.

REFORM IN PARLIAMENT.] Mr. *Brand* observed, that it must be obvious to the House, that the lateness of the hour was such, as to make it impossible to do justice to that important subject of which he had given notice. He had acquiesced in the suggestion of his right hon. friend last night, and agreed that a motion of a right hon. gentleman, which appeared to be rather of more immediate importance, should take precedence. So much discussion had taken place on that question, as well as upon that raised in the recent examination, that the time had passed beyond that limit which could possibly afford the means of a full consideration of a motion, the object of which was to make extensive alterations in the system of popular representation in that House. He wished that an early day should be named, when other business might be excluded, and would readily assent to any which might appear to be the most open.

Mr. *Ponsonby* said, that an hon. friend of his who had given notice of a motion for Friday, had informed him that he could not bring it on on that day, without material inconvenience to himself. He suggested, therefore, that no objection would probably exist to fixing that day; which was finally agreed to, on the understanding that it should take precedence.

The House then resumed the examination of witnesses on the Orders in Council.

HOUSE OF LORDS.

Wednesday, May 6.

COMMITTEE ON THE ORDERS IN COUNCIL.] At three o'clock a Committee of the whole House proceeded to examine witnesses as to the effect of the Orders in Council. Mr. Spooner, a Birmingham manufacturer, was first called in. He deposed as to the general laxity of trade among the hardware manufacturers, which he attributed to the Orders in Council, particularly as they bore on America. In answer to a question from earl Grey (in reference to an assertion made by the noble earl, on the preceding evening,) he stated, that he believed orders for the accoutrements and ornaments of marshal Soult and his army, had been executed at Birmingham; but, he conceived, not directly through the French government. He was convinced, that if the Non-Intercourse system continued much longer, Birmingham would lose a great part of its trade; and the manufacturers would emigrate to foreign countries. The Americans, he believed, were improving themselves as much as possible in the manufacture of certain articles, with which Birmingham and other towns in England heretofore supplied them. Formerly the Americans were in the habit of importing chandeliers, with the fine brass ornaments affixed to them; latterly, however, they imported the glass only, which implied that they manufactured the other parts. Prior to the Non-Intercourse Act, he had no doubt but many of the finer articles of manufacture found their way through France to America, which was no longer the case. His reason for signing the Petition to the House was, 1st, the declaration of America, that she would recede from the Non-Intercourse Act when we rescinded the Orders in Council; and, 2dly, the orders he received from different American houses being purely conditional, depending entirely on the repeal of the Orders in Council.—The second witness was Mr. Potts, also of Birmingham, whose deposition was nearly to the same effect. The witnesses were principally examined by earls Grey, Bathurst, Lauderdale, Rosslyn, Liverpool and Morton; and lords St. John and Erskine.

Previous to the House resuming,

The earl of Liverpool wished it to be understood, that from the nature and importance of the business before the House on Friday, it would be impossible to resume the examination of witnesses in the Committee before five o'clock. Lord Rosslyn, lord Lauderdale, and earl Grey, having opposed any delay, upon the ground of the necessity of losing no time in an investigation of such importance, as well as the inconvenience which would be experienced by many individuals, who were anxious to get to Birmingham before Saturday. The Lord Chancellor suggested the expediency of postponing the business which stood for Friday until Saturday, and that which stood for Saturday until some other opportunity.

This proposition having been approved by the House, it was understood, that the Committee would meet again on Friday.

HOUSE OF COMMONS.

Wednesday, May 6.

PETITIONS FROM THE MERCHANTS OF LONDON, &C. INTERESTED IN THE TRADE TO INDIA AND CHINA—OWNERS OF SHIPS—SHIP BUILDERS—ROPE MAKERS, &C. RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of several merchants, traders and others of the Port of London, interested in the East India and China trades, was presented and read; setting forth,

"That, for a long series of years, the East India and China trades have been exclusively carried on to and from the port of London, under the express provisions of various acts of parliament made for that purpose, both before and since the partial opening of the trade on the last renewal of the East India Company's Charter; and that, under the regulations of those acts, and the restrictions thereby introduced, numerous classes of his Majesty's subjects have established themselves in London, in different branches of business connected with the East India and China trades, and have, for the purpose of carrying on the same, formed extensive establishments, and embarked large capitals; and that, for the purposes of this trade, as now carried on by the East India Company, and by individuals, warehouses have been built in the metropolis, and wet docks have been formed in its vicinity at an immense expence, and very large sums have been invested in the shipping employed therein, almost wholly by persons in London, and those immediately concerned in the Indian and China trades; and that the petitioners are informed, by the votes of the House, that numerous applications have been made from the outports and provincial towns of the United Kingdoms, that the East India and China trades may be allowed to be carried on to and from such outports, should those trades be still further laid open at the expiration of the East India Company's present Charter; and that the petitioners feel themselves deeply interested in any measure of this extended nature, as the same must materially affect them, in common with the numerous classes and descriptions of persons now engaged in those trades, which, whether confined as they now are, or under any extension thereof, must necessarily form the means of support to those who have embarked therein, and to whom any removal or dispersion of the trade will be highly injurious and detrimental; and that the experience of many years has proved, that the legislature, by confining to the metropolis the trade of India and China, has beneficially created one large and open market, enabled purchasers to meet in one point, preserved to importers the full benefit of competition, and to purchasers the advantage of the greatest assortment, and the best opportunity for their respective selections; and that, by means thereof, the revenue has been most effectually secured, and materially benefited; and that, by the present method of conducting the import trade, and its being confined to the port of London, smuggling is prevented, and the *ad valorem* duties are collected not only with the utmost exactness and facility, but on the full value of the commodity, and at the least possible expence to the nation; whereas, should the import trade be dispersed, smuggling could not be prevented, and not only would the revenue be exposed to this loss, now so effectually guarded against by well proved regulations in the collection, but the duties paid *ad valorem* would be materially diminished by the want of those regular markets and concentrated competition by which they are now augmented; and that, as the most considerable part of the articles imported from India are for foreign consumption, it has been the practice to make the sales in London, at fixed periods of the year, best suited to attract purchasers from abroad, and to have the greatest variety of each species of goods put up to sale at one time, that their demands may be more extensively supplied, and their motives for visiting this country strengthened: but it appears to the petitioners, that if the present salutary system should be changed, it would be impossible so to regulate the sales at the different outports, in point of time, or assortment of goods, as to induce the foreign merchant to come to this country, and this circumstance would not only be a great loss to the revenue, but would be highly detrimental to the manufacturing interests of the country; and that the petitioners humbly submit that no advantages, commensurate with these sacrifices and with the losses which would be sustained by the petitioners and the numerous classes of persons now carrying on this trade in London, will be obtained by the public at large from its dispersion in the outports, and that such a radical alteration in the system now established by law, could only in justice be made upon an indemnification to those who would be injured by the change; and praying, that, on any renewal of the East India Company's Charter, the homeward trade from India and China may be continued exclusively to the port of London."

A Petition of several merchants, manufacturers, traders and others interested in the export trade to India and China from the port of London, was also presented and read; setting forth,

"That the petitioners have been long engaged in the export trade from the port of London to India and China, and that such export trade to India and China, from the first period of its existence, under the sanction of various charters, successively confirmed and regulated by the legislature, has been exclusively carried on from the port of London, to the great advantage of the manufacturing towns of the United Kingdom, inasmuch as the articles exported to India and China, although various, are not extensive in any particular manufacture, but require to be collected from every part of the kingdom, and the same are thereby drawn to the port of London, as an emporium, and brought to one concentrated point for exportation, whereby the coasting trade of the kingdom, the best nursery for seamen, the inland navigation, tending to the general improvement of the agricultural interests of the country, are encouraged, and the revenue itself materially benefited; and that, under the sanction of various acts of parliament, passed relative to such trade, and particularly the Act of the 33d year of his present Majesty, for continuing in the East India Company the possession of the British territories in India, and other purposes therein mentioned, and in obedience and conformity to the regulations and restrictions therein contained, the petitioners have enjoyed the advantage of such exports, and in full faith and confidence that no alteration would take place in the mode of carrying on such trade, have constructed extensive manufactories, and provided large stocks of various sorts of merchandize, peculiarly and exclusively adapted for the India and China markets, and have formed large establishments in the port of London, and otherwise embarked large capitals, for the purpose of carrying on the export trade from thence to India and China; and that the petitioners have observed by the votes of the House, that numerous applications have been made from the outports, and other towns and places in the United Kingdom, that the trade to India and China may be allowed to be carried on from such outports at the expiration of the East India Company's present Charter; and that the anxiety expressed by the various manufacturers in the provincial towns of the United Kingdom, in regard to the exports to India and China, is, the petitioners conceive, grounded upon erroneous data, as will appear by reference to the actual export of such manufactures, whereby it can be most clearly and satisfactorily shewn to the House, that not more than one-fourth of the tonnage offered by the East India Company to private traders, under the provisions of the said recited act, has been applied for; and that the Company have, by their printed notices (circulated generally throughout the trading interests of the community), held out encouragement to private adventurers in the export of British manufactures to a still larger extent; and that, notwithstanding such additional stimulus and encouragement on the part of the Company to private individuals, experience has shewn, that even the quantity now allowed to be exported has never been applied for, thereby proving, most satisfactorily, that the India market is not extensive in its demand, and already abundantly supplied, frequently to the great loss and serious injury of those who have engaged in such private export trade; and that should the export trade to India and China, which is now confined to the port of London, be extended to the out-ports, the very large establishments which have been formed, the extensive warehouses and manufactories which have been built or provided, and the large stocks of merchandize, exclusively adapted to the India and China markets, which have been laid in, and the several docks and wharfs which have also been formed, and workmen engaged, by the petitioners, at an immense expence, will become wholly useless, and the consequences would produce not only irremediable injury to the Petitioners, but tend to the utter ruin of many other individuals and their families who are now, and have been long, embarked in the export trade, under the sanction of the legislature of the country; and praying, that on any renewal of the East India Company's Charter the export trade to India and China may be continued as heretofore to the port of London, and that the petitioners may be heard, by their counsel and agents, against any alterations in the present mode of carrying on the export trade to the East Indies and China."

A Petition of several tea dealers and merchants interested in the trade with China to and from the port of London, as now carried on by the East India Company, was also presented and read; setting forth,

"That the petitioners view with considerable alarm the attempts that are making to introduce innovation into a trade which the experience of many years has proved to be highly and reciprocally advantageous to the established dealers in tea, to the East India Company, and to the public at large; and that, amongst the many advantages arising from the present system of the trade with China, as confined to the East India Company, the petitioners beg to point out the regularity of their quarterly sales, and the uniform proportion which they bear to the consumption of the country, the great and important improvement which has of late years been effected in the quality of teas in general, by the attention paid to that object by the Company's supercargoes, the controul which the Court of Directors have over those persons through whose medium the commercial intercourse with China is carried on, and the importance of having such controul, not only over the British subjects resident in China, but over those who are employed in navigating the ships trading to that country, from the peculiar nature of the Chinese government, a rupture with which, in consequence of any irregularity on the part of persons trading to China, would, in all probability, lead to a total interdiction of all communication whatever with that country; and that the trade with China, as now carried on, is of general importance to the country in a commercial point of view, is shewn from the immense capital employed in it by the East India Company, and by the numerous dealers in tea; and that the increase in the East India Company's sales since the practice of smuggling was put an end to by the Commutation Act, in the year 1784, is from about six millions pounds to an average of about twenty-four millions pounds per annum, and in the advantages arising to the nation at large from the present system, are to be considered the regularity, facility, and economy with which the revenue on the article of tea is now collected, to the amount of nearly 4,000,000*l.* sterling per annum; and that the consumption of tea has extended itself throughout the British empire to such a degree, and during so long a series of years, as to have become an article necessary to the comforts of the people at large; and that it is of the highest consequence that the regular importation and fixed sales of tea, both as to quantity and quality, should be made as secure as possible to the public, and particular care is requisite to preserve an article of such general consumption from the influence of the private speculation of individual importers, especially in the arrangement of their sales, to answer temporary purposes; and that these advantages are secured, and this evil is most effectually guarded against, by the manner in which the trade with China is now carried on by the East India Company; and that any innovation on the wise salutary and prosperous system which has prevailed for so many years, would materially injure, if not absolutely destroy the interests of the petitioners, who have embarked their capitals in this extensive branch of commerce; and that, although the petitioners are desirous of avoiding any discussion on the present occasion with respect to the Indian trade, yet they cannot refrain from noticing, that, if vessels are allowed to trade generally between India and the out-ports of the United Kingdom, the facilities of smuggling tea will be revived equal to those in former times, from the large quantities of tea to be procured in India, and from the opportunities which will be afforded of clandestinely landing the same in different parts of the kingdom, were ships from India allowed to proceed to the out-ports; and this renewal of smuggling would be equally detrimental to the fair trader and to the revenue; and praying that, on any renewal of the East India Company's Charter, the trade to and from China may be continued exclusively to the East India Company in the port of London; and that the interests of the tea trade, which are so connected with those of the East India Company and of the revenue, may be effectually secured by such regulations as will prevent the opportunities of conveying tea in an illicit manner from India to this country."

A Petition of the managing and other owners of ships built for and in the service of the United East India Company, was also presented and read; setting forth,

"That in consequence of an application from the East India Company to his Majesty's government for a renewal of their Charter, which is expected very soon to undergo the consideration of parliament, many Petitions have been presented to the House by merchants and others residing in the out-ports of this kingdom, praying for extensive and important alterations in the system on which the trade to and from India is now conducted; and that the whole of the trade of the East India Company is carried on in ships built by the petitioners and other private individuals under the direction and inspection of the agents of the said Company, and for their particular service, and if by the opening of the trade to India, or otherwise, they were thrown out of the service, the petitioners may sustain immense losses, such ships being wholly unfit for any other trade or employment; and that the hopes and expectations of great numbers of valuable and meritorious officers will be thus disappointed, and it may be expected that their attention will be directed to other means of supporting themselves and families, by which their nautical skill and talents will be lost to the state; and that there are now in the service of the East India Company 115 ships of different burthens from 1,400 tons progressively down to 500 tons each, amounting in the whole to a tonnage of 115,000 tons and upwards, and in value to above 6,000,000*l.* of money, the petitioners having embarked a considerable part of their fortunes in the building and equipment of such ships, in the full reliance that the present system of the Company's trade would be permanent; and that these ships are much better equipped and manned, and better prepared to resist an enemy than trading vessels of any other description, and there have been instances of their having engaged French ships of the line with effect; and that they have on various occasions been eminently useful to government, and particularly in India, where their services have materially contributed to the conquest of the enemy's settlements; and that the building of these ships hath been attended with great national advantage by promoting the formation and subsequent employment of large and extensive docks and establishments in the private yards of the ship builders within the port of London, in which a great proportion of the present royal navy hath been built; and that such private yards are ready for the service of government when wanted, free from the expence of keeping up any establishment; and that great national advantage hath also been derived from the said shipping, as affording a service in which many able officers and valuable seamen have been trained, who have afterwards rendered the most essential services in the royal navy; and also, by affording employment to naval officers whilst on half pay in times of peace; and praying the House for a continuance of the system on which the trade to and from India is now carried on, and particularly that the import trade thereof may be confined to the port of London, or that the large and valuable interests of the petitioners, as owners of India shipping, may be protected in such manner as the House in its wisdom shall see meet."

A Petition of the several persons, whose names are thereunto subscribed, being ship builders, boat builders, shipwrights, caulkers, sawyers, ship joiners, and workmen resident in, and carrying on their business within, the port of London, and banks of the river Thames, was also presented and read; setting forth,

"That some of the petitioners have been long engaged as masters or principals in the building, repairing, and equipping of ships, boats, and vessels in the port of London; and that the principal part of the ships or vessels and boats built in the docks and premises of such of the petitioners, who are masters and principals, have been for the East India and China trades, and which constitute the most important branch of the business of this class of the petitioners; and that, in the confidence that the said trades, which have been exclusively carried on for upwards of a century in the port of London, would not be removed, the petitioners have constructed or engaged very large dock yards and premises, and formed very extensive establishments on both sides of the river Thames, in which they have invested, if not sunk, very large capitals, which, in the event of the export trade to India and China being laid open, will be almost entirely lost; and that the ships regularly built for, and now employed in, the East India and China trade, from their large dimensions and force, are capable of being converted, upon any sudden emergency, to the purposes of war, in aid of the regular navy; but it is more than probable, in case the trade be thrown open, that the ships to be employed hereafter will necessarily be of comparatively small burthen, and inapplicable to the public service; consequently the country will be deprived of an important naval resource, of which, the petitioners humbly beg leave to remind the House, in a moment of great apparent danger, the government had availed itself by the purchase of fourteen East India ships, which were converted into ships of war; and that the said petitioners have engaged in their different yards and premises a great number of apprentices, under the impression that the said trades would be continued to the port of London, the removal of which, the petitioners conceive, must prove most extremely injurious to this youthful class, and also eventually to the general service of their country, as they will constitute a never failing supply for his Majesty's dock yards; and that several of the petitioners are workmen employed in the different yards and premises in the port of London, and have, with their families, been long resident in Stepney, Blackwall, Rotherhithe, Limehouse, Bermondsey, Deptford, Northfleet, Greenwich, and other places contiguous or near to the river Thames, where the several establishments for the building of ships and vessels have for upwards of a century been formed and maintained by the principals or proprietors carrying on the said trade, and employing the petitioners therein; and that the class of ships engaged in the East India and China trade, from their magnitude, require a greater number of persons in the building thereof than vessels of a smaller description; and therefore, from the certainty of obtaining employment, the petitioners have been for many years, with their families, settled at the different places above-mentioned, within the port of London: and that the petitioners have observed, with great regret and alarm, the various applications that have been made to the House for opening the trade to India and China, which appear to the petitioners to be founded on delusion, and which, if granted by parliament, will be highly injurious, and indeed almost ruinous, to the petitioners resident in the port of London, without eventually benefiting those who apply for it; and praying the House, that on any renewal of the East India Company's Charter, the trade to and from India and China may be continued to the port of London as heretofore; and that the petitioners may be heard, by their counsel and agents, against any alteration in the present mode of carrying on the export trade to India and China."

A Petition of the several persons whose names are thereunder subscribed, being ropemakers and their workmen, resident in and carrying on their business within the port of London, and on the banks of the river Thames, was also presented and read; setting forth,

"That several of the petitioners are engaged as masters or principals in making and supplying of cables and ropes of every description for ships and vessels in the port of London, and have for that purpose constructed and built, or engaged, very large and extensive premises, and formed very large and expensive establishments (wherein they have invested large capitals) on both sides of the river Thames, or near thereunto, within the port of London, for the purpose of carrying on that trade; and that the supplying the ships and vessels fitted out in the port of London for the East Indies and China, form an important and very considerable portion of the business carried on by the petitioners: and that the petitioners have engaged a very great number of apprentices, with a view to a permanent continuance of this trade, the removal of which must prove extremely injurious to this youthful class, and that another portion of the petitioners are workmen employed by the ropemakers in the port of London, and that the petitioners and their families have been long resident in Stepney, Blackwall, Rotherhithe, Limehouse, Bermondsey, Deptford, Greenwich, and other places contiguous or near to the river Thames, where the several establishments have for upwards of a century been formed and kept up by the principals or proprietors thereof carrying on the said trade, and employing the petitioners therein; and that the class of ships engaged in the East India and China trades use cordage of a magnitude requiring a larger number of persons in the manufacturing thereof than vessels of a smaller description, and therefore, from the certainty of obtaining employment, the petitioners and their families have for many years been resident at the different places above-mentioned within the port of London, and that the petitioners are, in consequence of the large manufactures and establishments they have formed upon or near to the river Thames, for the purpose of supplying the East India and China trades, which require constant and extensive demand, been much employed in manufacturing cordage for his Majesty's navy, but which they have formed and kept up for the supply of the East India and China trades in the port of London; and that the petitioners have observed with great regret and alarm the various applications that have been made to the House for opening the trade to India and China, which appear to the petitioners to be founded on delusion, and which, if granted by parliament, will be highly injurious indeed, and almost ruinous to the petitioners resident in the port of London, wtthout eventually benefiting those who apply for it; and praying, that on any renewal of the East India Company's Charter, the trade to and from India and China may be continued as heretofore to the port of London; and that the petitioners may be heard, by their counsel or agents, against any alteration in the present mode of carrying on the export trade to India and China."

Five Petitions, of persons whose names are thereunto subscribed, resident in and carrying on their business within the port of London, and on the banks of the river Thames;—being ship plumbers, painters, and glaziers; sailmakers and their workmen; mastmakers, blockmakers, and gun carriage-makers, and their workmen; smiths, coppersmiths, and anchorsmiths, and their workmen; and ship-chandlers and ship-coopers and their workmen,—were presented and read: setting forth,

"That the principal part of the employment of the petitioners has been the furnishing and fitting out the ships employed in the India and China trade; and that, in the confidence that the said trade would be continued to the port of London, the petitioners, for the purpose of carrying on their businesses, have constructed or engaged large premises, and formed very extensive establishments, in which they have invested and sunk very large capitals, on both sides of the river Thames; and that several of the petitioners are also workmen employed in the different dock yards and premises in the port of London, and have, with their families, been long resident in Stepney, Blackwall, Rotherhithe, Limehouse, Bermondsey, Deptford, Greenwich, Northfleet, Gravesend, and other places contiguous or near to the river Thames, where the several establishments for the furnishing of ships and vessels have for upwards of a century been formed and maintained by the principals or proprietors carrying on the said trades, and employing the petitioners therein; and that the class of ships engaged in the East India and China trades are of a magnitude that require greater number of persons in the furnishing thereof than vessels employed in any other trades, and therefore, from the certainty of obtaining employment, the petitioners have been for many years, with their families, settled at the different places above-mentioned, within the port of London; and that they have observed, with alarm, the various applications made to the House for the purpose of opening the trade to India and China, conceiving the same, if granted, will tend to the diminution or destruction of the East India shipping in the port of London, and thereby prove highly injurious, if not wholly ruinous, to the petitioners, who look to and depend upon the outfit of such shipping for their business and support; and praying the House, that, upon any renewal of the present existing Charter of the East India Company, the trade to India and China may be continued, as heretofore, in the port of London; and that the petitioners may be heard, by their counsel or agents, against any alteration in the present mode of carrying on the export trade to India and China."

The said Petitions were ordered to lie upon the table.

Civil Disabilities of thf Roman Catholics.] Mr. *Canning* rose to give notice, that he would, before the conclusion of the session, submit to the House a motion on a subject which he was aware had already come before them for decision; but which, from the complexion of the discussion on that occasion, he trusted they would permit him to bring under consideration in another form. He alluded to the debate respecting the penal laws affecting the Roman Catholic subjects of his Majesty. The object of his motion, he begged to state, would be, that an humble Address be presented to his royal highness the Prince Regent, praying that he would, during the recess, take into his serious consideration the condition of this class of the people, with the view of ascertaining the nature and extent of such securities as might be necessary to fence the Established Church, in case any further concessions to them should be deemed advisable and expedient. As a call of the House was fixed for Wednesday the 27th of May, and as Thursday the 28th was not only a day on which notices took precedence, but an open day, he would fix on it for bringing forward this important subject.—The notice was accordingly entered for the 28th.

Property Tax.] Sir *Thomas Turton* rose to submit a resolution to the House respecting the manner in which the Property Tax was collected, and its unequal pressure upon the subjects of the country. The hon. baronet examined several of the clauses of the act, in order to shew their inexpediency and injustice; and he cited the cases of various persons who had addressed letters to him stating the peculiar grievances that attached to the mode in which they were assessed under that act. He dwelt particularly on the hardship of subjecting those who had nothing but a life interest in an annuity, to the same rate of tax as those who had freehold property to an equal amount; the stake of the one and the other in the country being so different. In adverting to the unequal pressure of this tax upon the community, he instanced the case of a person having only 150*l.* per annum, and another having 1,500*l.*; the one, he contended, in paying his 15*l.* contributed more in proportion to the residue of his property, than the other in paying his 150*l.* He was aware, indeed, the revenue this tax produced was very great, but that was no argument why its oppressive features should be maintained. If the right hon. the Chancellor of the Exchequer looked only to the produce of a tax, regardless of its policy or its equity, he would proceed, in his opinion, upon the principle of Moliere's Avare, "Il faut l'argent, l'argent, l'argent!" There was another thing which rendered the Property Tax more seemingly oppressive, the exemption from it which foreigners still enjoyed, namely, 63,000*l.* were thus suffered to be lost annually, though as much the property of the state as that which was derived from any other source. In adverting to the manner in which the tax was collected, he would venture to affirm, that he never read an act of parliament which gave a greater and more unlimited power to collectors and assessors than was given by the Property Tax Act; a power too, which, it was well known, had been too often used with a wanton and unjustifiable indifference to the rights of individuals. He alluded particularly to the vexatious manner in which assessments were made, and the mockery of redress which was held out to appellants. His chief object, however, in calling the attention of the House to the subject, was, in the hope that something might be devised which would equalize the tax, and, by rendering it less oppressive to the middle classes of society, secure to it the permanency of those sources whence it derived its present ample produce. If the right hon. gentleman would promise to give it his attention; if he would pledge himself to turn the subject in his mind during the recess, he would then withdraw his motion; if not, he should certainly make it, and, whatever might be its fate, he would persist in making a similar one every year till some alleviation was obtained. The hon. baronet concluded by moving the following Resolution, "That the Property Tax, however just in its principle, or necessary as a measure of finance, is raised by means that make it very oppressive to the middle classes of the community; and that it is expedient that some enquiry should be instituted, with a view to ascertain how far it can be qualified and rendered more equal in its operation."—The Resolution was handed to the Speaker, but no member seconding it, the motion fell to the ground.

Committee on the Orders in Council.] The House then resolved into a Committee on the Petitions against the Orders in Council, in which the following witnesses were called and examined to much the same effect as preceding witnesses: namely, Mr. Greenwood, of Halifax, and Mr. Bailey of Sheffield. At half-past seven the House resumed; progress was reported, and leave given to sit again to-morrow.

Suits in Chancery.] Mr. *M. A. Taylor* rose to make his motion, respecting the delays that so notoriously existed in all Chancery causes. He commenced by stating, that his primary object was to ascertain what could be done by legislative interference, to assist the suitors in Chancery; but if it should turn out upon enquiry, that unnecessary delays were occasioned by the present Lord Chancellor, he trusted he should not be accused of any personal disrespect towards that excellent person. If, however, he should incur that imputation, it would not deter him from doing, as a member of parliament, what he conceived to be his duty. The business of the court of Chancery was not greater now than it was in the time of lord chancellor Hardwicke. He had himself once thought that the business had really increased of late years, but on enquiry he found that it had not increased. He knew it would be said, that an increase had taken place in the number of Petitions in cases of Bankruptcy and Lunacy. The increase in cases of Lunacy was trifling, but the unfortunate circumstances of the country had no doubt prodigiously increased the number of bankrupt causes. Much of the delay in the court of Chancery, he understood, was to be ascribed to the practice recently introduced of hearing cases on motions—a practice certainly productive of infinite mischief. It might be very convenient to those persons who made the motions, but it was of the utmost inconvenience to those whose causes came regularly on. With respect to the present Lord Chancellor, he believed a man of greater kindness and humanity, of greater affability and good humour, never sat in a court of justice; but with all these good qualities he might not have the talent of quick decision. His slowness of decision might arise from an over-anxious desire not to be wrong. A good deal of the inconvenience which this was calculated to produce was, no doubt, alleviated by the extraordinary dispatch of the Master of the Rolls; but if any thing were to happen to the Master of the Rolls, in what situation would the country be placed? The Chancellor's mind could not be turned exclusively to the court of Chancery like the Master of the Rolls. His situation necessarily prevented this. As an illustration of the slowness of decision in the court of Chancery, he needed only to state, that in Hilary term, 1812, five decrees were pronounced and no appeals were decided. There were on the paper 100 causes, so that gentlemen might easily conceive what time would elapse before many of these causes could be determined. There were at the same time 39 appeals from the Master of the Rolls. To shew the dispatch of the Master of the Rolls, he would state, that he made in 1810, 276 decrees, in 1811, 280 decrees, and in Hilary term and the sittings afterwards 102 decrees. What was the reason, then, that so few causes were decided, while from the paper it appeared that, taking away bankrupt actions, there were not more suits than in the time of lord chancellor Hardwicke? Had he not a right to enquire from those men who alone were capable of giving correct information on the subject—what was the cause of the delay? He believed the conduct of the Lord Chancellor, as a judge, would bear the test of the strictest examination; but this was no reason why those men should not be called on. The lord chancellor Hardwicke went on with great rapidity in the decision of cases. It was to be recollected too, that he decided much of what now came before the Master of the Rolls. It might be said that he too had arrears. But at the end of a session he was obliged to leave over 100 causes to the next, because the solicitors could not keep pace with him. Were gentlemen aware of the prodigious expence entailed on suitors, from their causes being set down for judgment, and again and again set down without any judgment being given? He would repeat, that he had the highest respect for the Lord Chancellor, and he professed he would rather take his judgment when given, than that of any man in England, not only on account of the general acuteness and soundness of mind which he possessed, but on account of his profound acquaintance with the law of property. But this was no reason to prevent inquiry. No delicacy to the Chancellor ought to stand in the way of it. They who maintained that it ought, supposed the Chancellor was every thing and the public nothing; but the public was every thing and the Chancellor nothing. He was liberally paid by the public, and that public was entitled to have a proper return. The House ought to bear in mind when such topics as these were urged, how many families were ruined with the very best cause before a decision could be given. After some further observations, the hon. and learned gentleman concluded with moving, "That it be a special instruction to the Committee appointed to enquire into the causes that retard the decisions of Suits in the High Court of Chancery, to examine persons practising at the bar, as well as solicitors in the said court, touching the causes of the delay."

Lord *Milton* seconded the motion.

Mr. *Edward Morris* declared, that there was nobody more anxious for enquiry into the causes of the delays alluded to than he was. It was not fair in his hon. friend to attribute to him, and to those who felt as he did on this subject, any wish to withhold enquiry. He disapproved, however, of transferring the bench to the bar, and allowing the bar to sit in judgment on the bench. His hon. friend had been at great pains to disclaim what he (Mr. M.) contended must have arisen from this proceeding, namely, to injure the feelings of the noble and learned lord who presided in that court. He might have felt regret, along with others, that the noble and learned lord had not at all times given effect to the first expression of his opinion; but at the same time it must be admitted, that where there was more time of deliberation, there was also greater advantage in the decision. If his hon. friend wanted to go the length of alleging that a practical evil was felt, then must he give up his waver, and charge directly that the Chancellor of England had done wrong:—a charge in which, he believed, very few would countenance him. It was impossible, he conceived, for a man to read the papers before the House and not to see the cause of the delay. It consisted in an increase of business, both in the court of Chancery, and in the court of Appellant Jurisdiction. His hon. friend had referred to the number of Bills filed in the time of lord Hardwicke, and in the time of the present Chancellor, and assumed that as a criterion of the business which had come before the two chancellors. This, however, was a very unsatisfactory way of judging. During ten years of the present Lord Chancellor's time, there had been 19,133 motions, and 1,015 Petitions, more than in the ten corresponding years in the time of lord Hardwicke. If the question was how the two important branches of Chancery business, and of the business in the court of Appellant Jurisdiction, which had both so much increased, were to be discharged by one man, he must say, he thought that a question of state policy, not one to be decided by gentlemen, however eminent he knew some of them to be, practising at the bar of the court of Chancery. No delay existed in the Master's offices: when the causes were not in motion, the Masters had no emoluments; when the causes were stationary, the emoluments of the Masters were stationary also.

Mr. *Abercromby* said, that, feeling as he did towards the noble lord who presided in the court of Chancery, he had no hesitation in stating, that, if the present motion was to be considered as a personal attack on that noble lord, nothing but the strongest sense of duty would impel him to support it. But he thought that it was most unjust to consider it in that light; for the documentary evidence before the Committee was not sufficient, and they were therefore bound to seek for more, by examining the gentlemen practising at the Chancery bar. How then could the feelings of any one be harassed by such a proceeding, unless it threw blame on the noble and learned lord? Why should it harass and agitate the mind of the noble and learned lord, if it was ascertained that the delays arose from the great number of motions, and not from the small number of decrees? There was nothing so injurious to the Lord Chancellor as to say, "for God's sake do not enquire into it, from motives of delicacy." On these grounds he should vote for the motion.

Sir *W. Lemon* thought, that as the House had gone so far as to appoint a committee, they ought to give that committee all possible means of bringing their labours to a satisfactory termination.

Mr. *Simeon* opposed the motion, observing, that the judicial qualities of the present Lord Chancellor had stood the test of fifteen years, and only three appeals had been taken against his judgments within that period. If there was in the court of Chancery, and in the court of Appellant Jurisdiction, ten times the business that could be done without working impossibilities, what occasion was there for an appeal to the bar on the subject?

Mr. *M. A. Taylor* made a short reply, in the course of which, he stated, that he should deceive the world, if he did not say that it would be impossible for the committee to ascertain the real cause of the delays unless they were permitted to examine persons intimately connected with the court of Chancery.

The House then divided,

For the Motion..................... 20
Against it........................... 84
Majority .... —64

List of the Minority.

Babington, T.
Bankes, H.
Brougham, H.
Creevey, T.
Duadas, G.
Eden, G.
Horner, F.
Kemp, T.
Martin, H.
Milton, lord
Moore, P.
O'Hara, C.
Ossulston, lord
Ponsonby, F.
Romilly, sir S.
Stuart, lord Wm.
Taylor, M. A.
Whitbread, S.
Wilberforce, W.
Wrottesley, H.

TELLERS.

Sir W. Lemon
H. Bennet.

HOUSE OF COMMONS.

Thursday, May 7.

PETITIONS FROM THE INSPECTORS OF WOOLLEN GOODS—THE CLOTH DRAWERS—AND THE TRUSTEES OF THE WEST INDIA DOCKS, RESPECTING THE RENEWAL OF THE EAST INDIA CHARTER.] A Petition of the inspectors of woollen goods employed by the United East India Company, was presented and read; setting forth,

"That the petitioners have seen with infinite concern, that Petitions have been delivered to the House from various parts of the kingdom, praying that the East India Company's exclusive charter may not be renewed; and that, should the prayer of those Petitions be granted, it would be attended with severe loss to the petitioners, as they have very little employment except their situation under the Company; and that, to convey to the House some idea of the nature of their employment, they are under the necessity of stating in detail, that it has been the custom from time immemorial for the Company to purchase a large part of their woollens for exportation in the white or raw state, and to employ a variety of workmen in London to dye and otherwise prepare the same, so as to be fit for exportation; others are delivered to the inspectors ready dyed; the whole of which goods are inspected by the petitioners, who flatter themselves they have faithfully discharged their duty conscientiously, according to the oaths which they have taken to do justice to the Company, whose sworn officers they are; and that the petitioners feel confident in asserting, that the credit of the East India Company's woollens is in the highest repute in India, particularly in China, where a bale of woollens, with the Company's mark and seal, will pass from one end to the other of that extensive empire, and be received in full confidence; and that it will scarcely be necessary to remind the House of the necessity of preserving inviolate the good faith which at present subsists between the Company and that jealous and suspicious people the Chinese; for, should they be deceived by having inferior or imperfect goods sold to them instead of those intrinsic good articles which the Company have invariably sent them, the consequence may eventually be the loss of that valuable branch of trade to this country; and that it is customary to bestow the office filled by the petitioners on persons of long tried abilities and integrity, being a situation of the first responsibility; they therefore most confidently hope the House will not pass any Bill by which the trade to India and China may be laid open, which would in its consequences deprive the petitioners of their livelihood at a time of life when it will be too late for them to seek a new employment."

A Petition of the cloth drawers in the employ of the East India Company, was also presented and read; setting forth,

"That the petitioners depend wholly on the export of woollens by the Company from the port of London, for a maintenance for themselves and families; and they see with the most serious concern the great efforts made, in some parts of the kingdom, to lay the Company's trade open, a measure which would certainly be attended with ruinous consequences to the petitioners; and that many of them have large families, who have no other support to look up to than a continuance of the present system; and they hope the House will see the certain evil to the many dependants on the East India Company, and the uncertain advantage likely to accrue to their opponents from a participation in the trade hitherto enjoyed by them, a measure, in the humble opinion of the petitioners, which would tend merely to a removal of the trade to one class of his Majesty's subjects to the certain ruin of the other; and that, relying on the wisdom of the House, they anxiously wait the adoption of such measures as will secure to them the means they have hitherto possessed of providing for their families."

A Petition of the trustees for executing several Acts, for making, maintaining, watching, lighting and watering several roads to communicate with the West India Docks in the Isle of Dogs, in the county of Middlesex, and also of several acts for repairing the Cannon street road, in the same county, and also for making, maintaining, watching, lighting and watering a new branch to communicate with the East India docks; and of persons living in the neighbourhood of the said roads; was also presented and read; setting forth,

"That the petitioners have, with great labour and expence, formed and established a commodious turnpike road leading from the East India docks to the metropolis, expressly for the conveyance both of the import and export goods and manufactures passing to and from the port of London, and India and China; and that a very considerable debt has been incurred by the petitioners, and the several subscribers to the said undertaking, in the establishment of the said road, upon the faith and firm reliance that the exclusive trade to India and China from the port of London would continue as heretofore; and that no part of the principal advanced by the subscribers to the said undertaking has been discharged, and the same, with an arrear of interest, still remains due to such subscribers; and that the ordinary traffic upon the said road, independent of the trade from India and China, is by no means adequate even to the repairs and maintenance of the said road; and the limited traffic occasioned by such trade being confined to the port of London is at present barely adequate to the maintenance of the said road, and the payment of the common rate of interest to the subscribers; and the petitioners therefore cannot but view the measure of diverting the whole, or any part of the above trade from the port of London to the out-ports as most ruinous and destructive to their interests, inasmuch as it would in their judgment, render the debt incurred upon the faith of the said trade continuing as hereto, amounting to nearly 20,000*l.* a total loss; and praying, that the import and export trade to India and China may be continued, as heretofore, to the port of London, and the merchandize thereof deposited, as heretofore, in the East India docks."

Ordered to lie on the table.

PETITIONS OF LOAN DEBENTURE HOLDERS OF THE ROYAL CANAL COMPANY OF IRELAND.] A Petition of the loan debenture holders of the Royal Canal Company of Ireland, was presented and read; setting forth,

"That, in the 29th year of his present Majesty, the Royal Canal Company were incorporated by royal charter, for the purpose of completing a navigable canal from the city of Dublin to Tarmonbury on the river Shannon, and, for the more effectual attainment of that object, were empowered by the said charter, and by an act passed in the 30th year of his present Majesty, to borrow, upon the credit of their works, and their estate therein, any sum not exceeding the amount of the subscriptions which should have been then actually expended on the said works, at any rate of interest not exceeding the then legal interest, and to strike debentures for such sum so borrowed in such manner as the said Company, by their bye laws, should appoint; and that the completion of the said canal was considered, both by the government and the public at large, as a measure likely to be productive of the greatest advantages to Ireland; and, under that impression, the persons appointed to carry it into execution were, upon their first establishment, and at several subsequent periods, assisted by parliamentary grants, to a very considerable amount; and that, more particularly in the year 1798, it was deemed advisable by the Irish legislature to appropriate a sum of 25,800*l.* to the further advancement of the said canal, on the ground of the great accession to general wealth and prosperity which the same was calculated to produce; and subsequently upon the taking place of the Union, half a million of the public money was set apart for the express purpose of aiding and facilitating the works of inland navigation in Ireland, parliament upon the latter occasion recognizing, in express terms, the expediency of giving encouragement to the general system of such inland navigation by parliamentary grants; and that the same should be especially applied to the opening one or more lines of communication between Dublin and the river Shannon, and to the rendering the Shannon navigable from Loughallen to the sea, the completion of which, and the benefits derivable therefrom, the projected line of the Royal Canal is particularly calculated to effect; and that, from such repeated grants and donations of parliament, it became an universal opinion that the undertaking of the Royal Canal Company received not only the sanction but the particular protection and favour of the legislature: and that, upon the grounds of its great national utility, any pecuniary obstruction to the work (if such should through any fatality occur), would be obviated and removed by further parliamentary aids; by the influence of which persuasion the Company at length obtained a degree of credit, which, under any other circumstances, they could not have expected, and to a reliance upon which many of the petitioners attribute their present deplorable situation; and that the petitioners trust it will appear to the perfect satisfaction of the House, that they were throughout deceived by the ostensible and imposing appearance which the Company had been enabled to assume, for the petitioners beg leave to state, that they had all the signs of public trust and public authority in their favour; that they were sanctioned and supported by repeated grants of public money; that no public authoritative complaint or intimation, tending to draw their credit into question, was ever made against them; that their securities, thus sanctioned, were allowed to be publicly circulated and purchased in the market without the least suspicion of deception or fraud; and that the petitioners always considered that, in lending their money, at merely legal interest to such a Company, so entrusted by the legislature, and engaged in an high national concern, they were incurring no risk whatsoever; and that the petitioners are composed of a number of individuals, totally unconnected with each other, having no authority of any kind to acquire the knowledge of, or to examine into the arrangements regulations or conduct of the said Company, and consequently unprovided with the means of detecting, in their proceedings, any violation of, or deviation from their charter; but the petitioners humbly submit, that, from the ostensible character of those to whom the direction of the Company's affairs was consigned, their great individual wealth, and the various sums of public money granted from time to time by parliament, the petitioners were warranted in presuming that the Company's affairs had been regulated agreeably to law and their charter, a presumption which naturally acquired additional strength with the petitioners by the grant of 95,000*l.* made to the said Company in the year 1802, which confidence in the propriety of the conduct of the said Company remained unimpaired even in the minds of the directors general of inland navigation to so late a period as the year 1810, which is evinced by their agreeing to advance to them at that time so large a sum as 71,000*l.*; and that, under the foregoing circumstances, it was with equal consternation and alarm that the petitioners read the report of a Committee of the House, of the 14th of June last, upon the Petition of the said Company, by which the petitioners became for the first time sensible of the delusion under which they had so long laboured; and that the Company, so far from having strictly adhered to the terms of their said charter, and the act under which they were incorporated, had in a variety of instances grossly violated and infringed them; and that the Company, as it now appears from the said Report, instead of having confined their loans to the amount of the subscriptions actually expended on their works, in conformity to the restrictions already mentioned, had in point of fact borrowed money to an extent enormously exceeding the limits prescribed to them by the wisdom of the legislature; and that a considerable part of the money raised through the means of such loans had been applied to the payment of interest, and subsequently of dividends upon their capital stock, a gross and scandalous abuse, as the petitioners humbly submit, of public trust and official duty, and therefore loudly calling for legislative enquiry and redress; and that, by these artifices, together with the public aids and sanction they received, the said Company were enabled to maintain a credit to which it now appears they had no just pretensions, and a disclosure of the true state of their affairs having become unavoidable, the insolvency of the said Company was at length declared, and the payment of the interest due on their debentures in circulation was in consequence suspended, by which unforeseen event, a great portion of the petitioners, comprizing a large and struggling class of the community, found themselves suddenly reduced to the utmost extremities of poverty and distress; and that in this lamentable situation the petitioners had recourse to the opinion of eminent counsel respecting the means most advisable to be adopted for their relief, the result of which has satisfied the petitioners that the ordinary tribunals cannot apply a remedy to an evil so extensive in its reach and ruinous in its consequences; they therefore throw themselves on the benevolence of parliament, and doubt not they will obtain from its humane interposition, that redress which from any other quarter they are not encouraged to expect; and that the petitioners, for the reasons herein stated, place the utmost reliance upon the humanity and justice of the House, and the more especially when they reflect upon the numerous occasions, on which that humanity and justice have been heretofore so eminently displayed, a consideration which gives the petitioners the assurance, that the assistance which was extended, and the redress which was afforded, to the sufferers by the South Sea Scheme, will not now be withheld from claims, which they cannot but regard at least equally founded on national consideration and justice; and that, supported by these hopes and claims, the petitioners venture to implore the assistance of the House, of whom justice and humanity have ever been the distinguishing characteristics, with profound humility submitting, that its attention has never been called to a more widely extended calamity than that which now solicits for alleviation; and that no case has ever occurred more emphatically entitled to the benevolent interposition of the House; and that the prayer of the petitioners is not that of a few individual sufferers, from their own misconduct, and seeking compensation for losses, of which they are themselves the cause, but of thousands of wretched sufferers, overwhelmed in a ruin equally unexpected and undeserved; and that by what means their sufferings may be most effectually relieved, they do not presume to suggest; they only implore the House to take their truly unhappy case into serious consideration, and to administer such remedy for their effectual relief, as to the wisdom and humanity of the House shall seem most meet."

A Petition of George Watters, Terence Dolan, and others, holders of Royal Canal 4*l.* per cent. loan debentures, to the amount of nearly 8,000*l.* was also presented and read; setting forth,

"That, as the affairs of the Royal Canal Company are now likely to engage the attention of parliament, the petitioners beg permission most humbly to submit to the consideration of the House, that the peculiarity of their situation, as creditors, ought not to be unnoticed in any discussion which has for its object to adjust the affairs and remove the embarrassments of that Company; and that the petitioners are of a description of creditors who, in the present instance, are invested by law with peculiar rights on the estates of the insolvent Company, and with specific claims, antecedent in their nature and legal operation to the demands of the other creditors of the Company; and that the petitioners have been instructed by the first professional opinions, that, if they permitted their lien to be considered as reducible to a level with the demands of the other creditors, they would, by such concession, sacrifice a rightful and legal advantage, which they humbly hope no decision of the House will, without equitable compensation, impair or foreclose; and that the petitioners are instructed that their loan debentures are a lien in the nature of a mortgage on the property of the said Company, and must receive the construction always applied to mortgage securities; and they beg leave to inform the House, by form of the said debentures, that, as their lien is, in point of law, a mortgage, so, in point of fact, it is the first mortgage; and that the petitioners are creditors under the first loan that was made to the Royal Canal Company, a loan of 30,000*l.*, at 4*l.* per cent. per annum, together with an annuity of 200*l.* for three lives, a loan raised at a rate of interest less than 5*l.* per cent. and one which, in the late report of the Company's Committee, is allowed to be the most beneficial, and the only beneficial loan which that Company ever made, and on the payment of which that Company had not suffered any loss; and that the said loan was made in the year 1792, at a time when the affairs of that Company were supported by general contribution, a recent parliamentary grant, and unbounded public confidence, when its condition was most flourishing, entirely unaffected and unembarrassed by any incumbrance, or previous mismanagement, or unsuccessful and expensive speculation: and that the petitioners are creditors under a loan differing in many points from the succeeding loans; and that every point of difference was beneficial to the Company; and that the petitioners derive little under a legal loan, which was the first and the best loan, upon which there had been least interest to the lenders, and no manner of loss to the borrowers, all the other loans being at 6*l.* per cent. on each of which there was material loss to the Company; and that this loan was made at a period before the Company had diminished their estate by surrendering a great portion of their tolls to the government under a disadvantage and contrary to the spirit of the Charter, but that all the other loans were made at a time when the estate was known to be considerably depreciated by the aforesaid surrender of their natural revenue; and that the petitioners beg leave to call to the attention of the House, that the holders of this first loan were invited to advance their money to the Company by a unanimous resolution of the corporation, avowing and proclaiming their intention to borrow 30,000*l.*; that their priority of claim made a part of the bargain, and was, in truth, a condition precedent, solemnly stipulated in a previous and unanimous resolution of the entire corporation, discussed and ratified by various general meetings held on and between the 1st of May, and 6th of July, 1792, the result of all these meetings being the following Resolution, regularly legally and unanimously then and now recorded as a bye-law of that corporation, namely, "That the treasurer is directed to retain in his hands, from time to time, a sum of money sufficient for the payment of the interest of this loan, which he is to pay in preference to all other loans or dividends whatsoever, without any further order from the board;" and that this recorded bye-law, which has been strictly adhered to and acted on from Christmas 1792 to Christmas 1811, when the payment of interest by the Company ceased, is and has been open to the inspection of all succeeding loan contractors; and the petitioners beg leave to submit to the House, that the holders of this first loan having advanced their money on the faith of this previous condition, have for eighteen years been receiving an interest considerably less than the holders of other loans, in the full persuasion that each annual sacrifice of interest was as the price paid for insuring the priority and validity of their securities to themselves and their children, against any possible calamity; and they humbly submit that it would be a hardship, and they are advised that it would be illegal, to deprive them of their priority of lien; and they beg leave also to submit to the House, that the greater portion of this loan is held by persons in reduced or indigent circumstances; and they earnestly entreat the House to protect and save their rights in any arrangement which they may adopt regarding the estate of this insolvent Company; and that the prior claims of the petitioners may not be impaired or confounded in any system of general relief, without specific and adequate compensation."

Ordered to lie upon the table.

COMMITTEE ON THE ORDERS IN COUNCIL.] The House went into a Committee on the Orders in Council, and Messrs. G.

Naylor, B. Rhodes, J. Wedgewood, and R. Stevenson, were called and examined.

Mr. *Brougham* moved, that the chairman should report progress. He wished to give notice, that he would to-morrow move, that the Committee should sit on Saturday, and in the mean time he would propose to ask leave to sit again to-morrow, but with an understanding in consequence of what occurred on Tuesday, that the Committee should only be gone into *pro forma.*

The *Chancellor of the Exchequer* stated it to be his intention to oppose the proposition of the hon. and learned gentleman for going into the Committee on Saturday. He thought it unreasonable to suppose, that if the Committee were appointed to sit on Saturday, the attendance would be other than very thin, after the House had been occupied to so late an hour as that to which it might be expected the debate of Friday would be protracted.

Mr. *Brougham* had no wish to press it on the House or even on the right hon. gentleman. He did not wish the committee to sit late on Saturday, but he thought it might sit from three o'clock to five. If this were objected to, he would move, that the Committee should sit again on Monday, at the same time wishing to impress on the House the necessity of proceeding as fast as they possibly could with the enquiry.

The House resumed, the Chairman reported progress, and obtained leave to sit again on Monday.

Paddington or Regent's Canal Bill.] On the motion for the order of the day to take into further consideration the Report of the Committee on the Paddington or Regent's Canal Bill,

Mr. *Creevey* objected to it on public grounds, as the report of lord Glenbervie, who was himself one of the principal subscribers to the canal, ought to have been long before on the table of the House, nor could they legally proceed on the Bill without it. The hon. gentleman had, like many other members, received a card from the noble lord on the subject of this Bill; he repeated his former arguments, as to the benefits lord Glenbervie was likely to receive from the undertaking, and concluded by moving, as an amendment, "That the Report be taken into further consideration that day fortnight."

Mr. *Manning* saw no occasion for the proposed delay, as the Bill had already been four months under the consideration of the House, and he believed that no measure of a similar nature had ever obtained so much attention.

Mr. *Biddulph* differed totally from the hon. gentleman who had just sat down, and was convinced, that whether, in the improvement of Mary-le-bone park, they were to be guided by pecuniary considerations, to make the utmost of it, or whether, according to the Chancellor of the Exchequer's opinion, this was to be only a secondary consideration, still they wanted the report of the surveyor-general, before they could proceed, and he would in consequence, vote for the amendment.

Mr. *Brougham* objected to that canvassing for jobs which was too prevalent on both sides of the House. He expatiated at length on the usefulness of Mary-le-bone park to the health of the inhabitants of this crowded metropolis. It was on that principle that the intended buildings in Hyde Park had been successfully resisted some years ago by a right hon. gentleman now no more (Mr. Windham) and by several of his noble and hon. friends. That principle was perfectly, and in every respect applicable to Mary-le-bone park, and although the Chancellor of the Exchequer seemed to have admitted this, yet the plan for the pretended improvements went directly against it. The projectors of the improvements intended to cut canals with their usual appendages of quays and warehouses, to erect barracks a mile in circumference, to build villas with delightful shrubberies, very pleasant, no doubt, to the owners; but all those fine things would leave to the people at large only one-tenth part of the ground on which they were wont to take their recreations. He thought that the best improvements that could be devised, would be to leave the park as nearly as possible in the same state in which it had been for such a length of time, and not to deprive the middling classes of the metropolis of their usual Sunday walks, for which they might look in vain every where else. In this point of view he considered the Bill, not as a private but as a public one; and he would oppose it as trenching on the comfort of the poor for the accommodation of the rich.

Mr. *Pole Carew* supported the Bill, as he did not think that canals and gravel-walks could possibly spoil any place of public recreation. He did not think, besides, that the present was the proper stage to oppose the principle of the Bill.

The House then divided—

For the amendment............15
Against it........................49
Majority in favour of the Bill...—34

The Subscribers to the Canal did not vote on the question. The report was then brought up and agreed to, and the Bill was ordered to be engrossed.

Mr. Creevey's Motion respecting the Tellers of the Exchequer.] Mr. *Creevey* rose, pursuant to a notice he had given, to call the attention of the House, to the two Tellerships of the Exchequer, held by the marquis of Buckingham and lord Camden. This subject had often been incidentally touched upon in that House, but it was his intention now to move specific Resolutions on the subject. He should wish to consider it as a mere question of private property between those individuals and the public, and to discuss it upon that ground. He thought that he could not be suspected of bringing the question forward on any party motives, when it was recollected that the two noblemen who held those great offices were of different parties. The place had been given to the marquis of Buckingham as a reward for the services of his father, George Grenville, who had been prime minister of the country. Lord Camden had received his place as the reward of the services of his father, who had been lord chancellor. He therefore did not mean to find any fault with the distribution of those offices, or to say that they were not given as a reward for those high services for which it had often been contended that such places ought to be given. What he found fault with was this, that the emoluments of those offices were indefinite in their amount, and in the proportion of the difficulties and distresses of the country. The fees were paid from the Exchequer, being in the nature of a poundage on the money issued. There was 7*s.* 6*d.* on every hundred pound issued for the ordinary service of the army, and 3*s.* 9*d.* for the extraordinary. Eight pence in the hundred for what was issued for the navy, and 12*d.* for the ordnance issues. But the largest fee was on pensions and annuities granted, which amounted to $2\frac{1}{2}$ per cent. The effect of all those fees had been, that in the very same proportion that the distresses of the country were increasing, the profits of those Tellerships were rising. He then read a Report of the Commissioners of Public Accounts in the year 1782, by which it appeared that those places which in time of peace, and when they were granted, did not exceed 2,500*l.* per annum, had, in consequence of the expence during the American war, increased to 7,000*l.* a year. It appeared afterwards in the year 1808, by the Report of the Committee of Public Expenditure, that from the expenditure of public money, those two Tellerships at that time amounted to 23,000*l.* per annum each, and there could be no doubt but that from the additional expenditure since, the value of those offices was now much greater than it had been even at that time. It therefore could not be denied, that those two public officers, the marquis of Buckingham and earl Camden, received from the public exchequer more than the interest of one million sterling. If gentlemen would consider the manner in which other men who had rendered the highest services to the state were remunerated, they would perceive that what those two noblemen held as rewards for the services of their fathers, was infinitely beyond the proportion in which other men were rewarded. For lord Nelson's services, the reward granted was 7,000*l.* a year; for lord Wellington's, 4,000*l.*; and for the services of earl St. Vincent, lord Duncan of Camperdown, and lord Hutchinson, annuities of 2,000*l.* per annum. It therefore appeared, that the rewards of all the splendid military services which had been performed for the country, did not, united, amount to as much as either of those Tellers of the Exchequer received for the services of their respective fathers. Now he could not bring himself to acknowledge the right of either of those two noblemen to derive such enormous emoluments from the ruin of the country. If, therefore, they had the right to reduce those emoluments to that kind of standard, as to make those places in fact that kind of reward which was originally intended to be given, he thought that it would be a most desirable thing. He would deny the principle which he had so often heard contended for in that House, that a grant of an office by the crown was as sacred as any ancient grant of an estate, and could not be touched by parliament. When the crown, in former times, made grants of lands, or even grants out of the taxes, which were its hereditary revenue, it made grants out of its own property, which any private individual might do if he thought proper.

But now that the whole expenditure of the public money was under the controul of parliament, he would deny that the crown could make any grant that was not subject to the controul of parliament. It was in the power of parliament, if it thought proper, to say, for instance, that the payments of the public money should be at the Bank, and not at the Exchequer; and if parliament should choose to say so, would it be in the power of the crown to say that it should be at the Exchequer, in order that those two noblemen should have their poundage? He would admit, that if in so altering the place any individuals suffered loss, they would have a right to come to parliament for remuneration; but then the remuneration should be measured by the justice of the case, and the peculiar circumstances of it; and parliament might perhaps think it not just that an allowance so far superior to what was originally intended to be given, should be continued.

The hon. gentleman then read the following extracts from the Report of the Commissioners of Public Accounts in the year 1782.

"The principle which gives existence to, and governs every public office, is the benefit of the state. Government requires that various branches of business should be transacted, and persons must be found to transact them. The acceptance of a public office implies an engagement to do the business, and a right to a compensation: the officer has powers delegated to him necessary for the execution; but he has no other right than to the reward of his labour: he has no right to any specific quantity of business; that quantity must fluctuate according to circumstances, or may be regulated by the convenience of the state: If the good of the community requires a diminution or annihilation of the business of his office, or the transferring it elsewhere, the officer cannot oppose to the regulation, the diminution or annihilation of his profits; because not the emolument of the officer, but the advantage of the public, was the object of the institution: to suppose in him a right to make such an objection, would be to suppose the office created for his benefit; that is, to suppose it to originate in a violation of public trust, an abuse of power, and an offence against the state. Where law or usage has annexed terms to the grant, which limit the right of the executive power to resume or take it away, the reason seems to be the expedience of leaving the officer in the exercise of the duties of his office, independent of the influence of that power, which might otherwise, at pleasure, remove him: but when it is no longer for public convenience that such duties should be exercised, or when the exercise of them becomes an unnecessary expence to the public, it would be an inversion of the principle that governs such establishments to suffer that private emolument, which was no motive for the institution, to prevent or retard the abolition of them. It matters not what the duration or condition of the interest may be, whether for life or years, during good behaviour or pleasure; all are equally subject to that governing principle for the sake of which it was created; the good of the public." Commons' Journals, Vol. 39, p. 779.

"The public cannot afford to maintain officers of any description at such an expence. This nation is in debt 230 millions. It raises every year to pay the interest and charges attending that debt, above 8,700,000*l.*; of which above 19,800*l.* the Bank fee alone, is to be paid every year to these officers, for business from whence the public derive no benefit; and should additions be made this year to the public debt, unless the legislature will interpose their authority, these fees of office will have their addition likewise. The profits of the Auditors of the Imprest rise in proportion to the increase of the public distress. Upon these reasons we ground our opinion, that the public good requires that all fees and gratuities in the office of the Auditors of the Imprest should be forthwith abolished; that the profits of the auditors themselves should be reduced to a reasonable standard, and that every officer and clerk in the said office should be paid by the public, a certain fixed annual salary, in proportion to his rank and employment in lieu of all salaries, fees and gratuities whatsoever. And we continue to adhere to the opinion we have stated in our last Report, seeing no reason to depart from it, "That no right is vested in the auditor, either by the letters' patent by which he holds his office, or by usage, that can be opposed to this reduction and regulation." Commons' Journals, vol. 40, p. 123.

In the above opinions he perfectly coincided. Parliament did, in fact, interfere every day in the fees of those Tellers of the Exchequer. If there had not been a particular exception in the act which passed the other day for the Princesses' Annuity, two and an half per cent. must be paid out of that grant to the Tellers, which would be an addition of at least 200*l.* a year to the four tellers. In all the subsidies granted to foreign powers, there was also an exception that there should be no fees to them. They also claimed two per cent. on all money spent in secret services. They formerly claimed five per cent. on all sums issued for the extraordinary services of the army; and yet once upon the issue of 300,000*l.* for extraordinary services, it was thought right to reduce this fee to 3*s.* 9*d.* If parliament thought it reasonable formerly to make this reduction because 300,000*l.* were issued, what ought to be done now when seven millions are issued for extraordinaries? He was convinced that it was not only the right but the duty of parliament to interfere. In submitting to the consideration of the House the Resolutions which he held in his hand, his object was to comprise in them the history and origin of the office in question, the opinion of the commissioners of public accounts, and such incontrovertible facts with regard to the fees, as might lead the House to propose a reduction of them. He did not call upon the House, indeed, to state what would be their precise amount so reduced, but to make them more conformable to the emoluments of similar offices, and more suitable to the present condition of the country. The hon. member then read the following Resolutions.

1. "That it appears to this House that the two Tellerships of the Exchequer, now held by the marquis of Buckingham and earl Camden, are offices performed entirely by deputy, and that the same were given to the marquis of Buckingham and earl Camden on account merely of the profits of the same, and in remuneration of the public services of their respective fathers.

2. "That it appears to be an insurmountable objection to this instance of remuneration for public service being longer continued; that the profits of these tellerships are in their amount indefinite; and that they increase in direct proportion to the public expenditure, and consequently the distresses of the nation.

3. "That it appears that the fees of the Exchequer, which compose the profits of these tellerships, are a poundage according to certain rules, deducted from the monies paid out of the Exchequer to the ordinary service of the army, the army extraordinaries, the services of the navy and ordnance, secret service money, annuities, pensions, and other services.

4. "That it appears, by the 6th Report of the Commissioners for examining the Public Accounts, and which was laid before the House in 1782, that the profits of these Tellerships, then likewise held by the marquis of Buckingham and earl Camden, had amounted, at the close of the American war, to 7,000*l.* per annum each; and that, in a period of peace, they were about 2,500*l.* per annum each.

5. "That it appears, by a Report from a Select Committee of this House, made in the year 1808, that, from the enormous expenditure of the present war, the fees of the above two Tellerships of the Exchequer had amounted to the sum of 23,000*l.* and upwards to each teller; and, as the annual public expenditure has been increased by many millions of money since that period, so the fees and profits of the two tellers must have increased proportionably.

6. "That it appears to this House, that the amount of the fees or profits of these two Tellerships must at present be equal at the least to the interest of a million of money sterling.

7. "That it appears to this House, that parliament has at various times asserted and exercised a right of limitation and controul over the fees payable to the tellers, by excepting specific sums of money from the payment of all such fees; and that it is the duty of parliament, in the present unparalleled state of national expenditure and public calamity, to exercise its right still further over the fees now paid out of public money at the Exchequer, so as to confine the profits of the marquis of Buckingham and lord Camden to some fixed and settled sum of money, more conformable in amount to the usual grants of public money for public services, and more suited to the present means and resources of the nation."

On the first Resolution being put from the chair,

Mr. *P. Moore* seconded it.

The *Chancellor of the Exchequer* said, that although the first six Resolutions might be affirmed safely, yet as he could not assent to the practical effect which was intended to be derived from those resolutions, he could not see the necessity of agreeing to them. It was the ordinary practice of the House, when truths of this kind were proposed to them, to consider for what purpose they were called upon to vote them; and if they disagreed from the purpose of those who moved them, it was usual to wave the consideration of them. With this view, he should move the previous question upon the first six Resolutions, and give his decided negative to the last. The hon. gentleman said, that he wished this question to be discussed as a mere question of private property between man and man. This was a fair principle; but we should always recollect that one of the parties was the judge on this occasion, as parliament must represent the interests of the public. He believed, that it could not be denied that the Tellerships of the Exchequer in question were ancient offices, coeval indeed with the Exchequer itself, and legally within the gift of the crown. The right of those noblemen to those offices was a vested right which could not be touched; and it appeared to him that the emoluments of those offices, so legally granted, were also vested interests which must be protected. It must be recollected that most of the estates in the country had no better title than a legal grant on the part of the crown. In a case where parliament had formerly interfered with the office of Auditor of the Exchequer, and limited it, lord Sandys, the then auditor, had by some negligence in his office, put himself in such a situation that the Attorney General might have had the grant of his office repealed for his negligence. In such a case as that, it was the interest of the auditor to consent to allow the office to be reformed in the manner that government thought reasonable. The conduct of parliament in 1782, when they limited the emoluments of Tellers of the Exchequer appointed after that time, shewed most clearly that they did not conceive they had any right to interfere with the regular emoluments of those Tellers who had been legally appointed before that time. There would be much more danger and mischief from breaking down the barriers of private property in this instance, than in allowing those noblemen to receive the forty or fifty thousands a year, which were now the emoluments of those offices to which they had been legally appointed. The conduct of parliament in 1782, in not disturbing those vested interests, while they regulated the emoluments of Tellers of the Exchequer to be subsequently appointed, was a clear parliamentary recognition of those rights, and a parliamentary pledge that they should not be disturbed. The hon. gentleman (Mr. Bankes) who had lately brought in a Bill for the abolition of sinecure offices, uniformly recognised the principle of not disturbing the vested interests of those to whom they were now legally granted.

Mr. *Ponsonby* could not assent to the arguments of his hon. friend, nor to the authorities which he had quoted. He must contend, that by the law of England, no estate was better known, defined, or protected, than an estate in an office. It was as much private property as any other species of property could be. Those who doubted the position might refer to the first law authorities of the country, and from them get that information of which they seemed so ignorant. Although the power of parliament might take away the estate of any man, yet nothing could be more unjust or dangerous than to exert this power against private property. Those offices were ancient offices at common law, as old as the Exchequer, and he believed older than the Norman Conquest. He would not agree to the conclusions of the committee of 1782, "that the state, acting for the public good, might interfere with the emoluments of every office." The state had the power to do so, but the power was not the right; they had not the right to interfere in this manner with private property. There was no knowing where the reverse principle, if once admitted, might stop. What would be said, if, besides considering what should be taken from the emoluments of those offices to make them suitable rewards to those who held them, it should also be stated that parliament had a right to examine into the Church also, and consider what bishops had more than a suitable reward for their labours? If they were to go to tythes also (which were certainly granted originally for a different purpose), and take these away, not only from the clergy, but the lay-proprietors, it was evident that in this case there could be no consideration of what was just or reasonable compensation, but merely what was or what was not the legitimate private property of the person who held the bishopric or the tythes. It was just the same case in the present instance. They had no right to consider whether lords Buckingham and Camden had received too great rewards, but merely whether they were not entitled to the legal emoluments of offices which had been legally granted to them. He knew that those sentiments might be unpopular, but he would never, from any fear of unpopularity, shrink from a public avowal of those principles which might appear to him to be essential to the real interests of the country.

Mr. *Brand* regretted to differ from his right hon. friend, of whose purity of motives both on this and on every other public question there could be but one opinion. He differed also from the other gentlemen who had already spoken, and therefore felt it necessary to explain to the House the points on which he differed. He admitted completely the legality of the grants, and that those who held those offices had vested interests in the legal emoluments of them. If, however, it should be found that parliament had been in the habit of limiting those fees from time to time, then it appeared to him evident that those who took those offices took them subject to the controlling power of parliament. He wished that on this part of his speech his hon. friend had been more explicit, as it was in this point that he felt that he wanted information. He had heard that in 1740, the House had directed a reduction of emoluments in certain offices; but whether that had been carried into effect, or what were the peculiar circumstances connected with this order, he was not informed of. He should, therefore, wish to vote in favour of the first six Resolutions of his hon. friend, the truth of which was not disputed. He should then wish that a committee were appointed to examine how far parliament had in former times interfered, in reducing the salaries of offices granted for life. He disclaimed, as well as his right hon. friend (Mr. Ponsonby) acting upon popular clamour; but he thought that the great persons principally interested in this question, the character of the House, and the feelings of the public, did require that the historical fact should be ascertained, whether parliament had, at former times, interfered in reducing the emoluments of offices granted for life. If parliament had ever done so, he thought there was no time when such reduction was so imperiously called for as at the present time, when the distresses of the country were so great, and when the emoluments of those offices were allowed to be so greatly superior to any thing that was intended to be given at the time they were granted to the noblemen who now held them.

Lord *Archibald Hamilton* was far from disputing the principles laid down by the two right hon. gentlemen, as to the propriety of affording every sanction and support to private property. Even the doctrine laid down by his right hon. friend (Mr. Ponsonby), that offices were to be considered as in the nature of estates, he did not feel himself called on to dispute. That the offices in question, however, were to be put on a footing with the offices in the Church, he was not so thoroughly convinced. In the Church there were great and important duties to perform. The Church had grown with our growth, and strengthened with our strength; whereas the offices in question had only grown and increased with the burdens and distresses of the country, by which they were fed and nourished, and through which alone they now produced such enormous emoluments, as to have suggested to his hon. friend the propriety of the present motion. According to the doctrine laid down by his right hon. friend, whatever might at any time be the amount of the emoluments of these offices, the House could not interfere to regulate or restrain them. If by the lapse of time, supposing lord Camden to live 30 or 40 years longer, and supposing the amount of the offices to increase in the same proportion as they had hitherto done, still it would be equally incompetent for the House to interfere then as now. If the House could not now interfere, the amount to which the fees of office might increase, however exorbitant, could make no difference. If, instead of 30,000*l.* a year, which these Tellerships now produced, they should mount up to 130,000*l.* still, on the principles on which his right hon. friend argued the question, the House had no right to interfere! This was a doctrine, to which, as a guardian of the public purse, he could not suffer himself to agree. When the two noble lords alluded to were appointed to those offices, they yielded about 7,000*l.* a year each, and now they produced, to each of the noble lords, about 30,000*l.* a year. [No, no, only about 23,000*l.* or 25,000*l.* from the ministerial bench.] The noble lord rejoiced to hear the right hon. gentlemen opposite object to this, because, if they admitted that the amount had any thing to do with the question, then they admitted the force of his argument, and conceded that if the emolument did exceed what was reasonable; if, for instance, they should amount to 60,000*l.* a year, then it would be fit for the House to interfere. For his own part, he would never consent to give his vote that the House could not interfere to the effect of regulating the amount of the emoluments arising to any public officer. The only question, he conceived, was, whether the House could or could not interfere, and if called to give his vote on this subject, he must give it in behalf of the public.

Mr. *Lyttelton* stated, that if the early Resolutions should pass, he should then vote for the Amendment proposed by his hon. friend.

Mr. H. Thornton and Mr. Vansittart each said a few words on the liability of the sums laid out in the reduction of the National Debt to the fees in question.

Mr. *Whitbread* observed, that as he had the misfortune to differ from his right hon. friend near him (Mr. Ponsonby), not on the principles laid down by his right hon. friend, but on the application of them, he was anxious to state the grounds of his opinion as shortly as possible. He admitted with him, that the tellers had legal and vested rights in the fees of their office; but he would still contend, that parliament was entitled to regulate and confine those emoluments, when they became exorbitant and utterly beyond any thing that could be prospectively contemplated when the offices were first created, or when the present possessors obtained their grants. There was the strongest presumption in favour of this doctrine, because in various instances which occurred in the course of every session, parliament was in the habit of curtailing the emoluments of the tellers, by voting sums either in the shape of charity or remuneration, which were exempted from the payment of fees. The crown might have the power of creating the office, and appointing the fees, but to the people and their representatives belonged the power of raising the money on which the fees were to operate; and could the crown say to the House of Commons, "you must raise in every instance a sum of money additional to the estimate, for the purpose of remunerating the officers I have formed?" Certainly not. The Commons were entitled to use their own discretion on that point. Besides, his hon. friend behind him had stated a case in 1740, where the fees of these tellers were regulated and reduced. It was not shewn to be done with their consent; and if done without their consent, it would prove that parliament had a right to confine the profits of these offices. Besides, the expenditure of the country now comprised many items, which could not be in the contemplation of our ancestors when these tellerships were created. The sums, for instance, appropriated to the extinction of the national debt, could not have been contemplated when national debt was unknown; and was it not monstrous that the tellers should receive fees on their issue from the Treasury? Neither was such a tax as the income tax known to our ancestors, or at all in their contemplation. When that source of revenue was first proposed, he had little doubt that had it been submitted to parliament to exempt its enormous produce from the payment of fees, the proposition would have been agreed to. And if the principle could be interfered with at all, it could be interfered with to a much greater extent. On these grounds he was prepared to vote for the Resolutions; nevertheless, if the Amendment of his hon. friend seemed more likely to obtain the concurrence of the House, he was prepared to adopt it for the present. He did not vote for the mere purpose of obtaining popularity. He trusted that he stood far above any imputation of speaking or acting for the purpose of courting popular applause; but he thought that every man in the country must lament if these offices should be found to be above all controul. Surely, however great were the services of the late earl Camden or of Mr. George Grenville, he could not help being persuaded that they would be amply rewarded even by the amount of emolument drawn by the late first lord of the Admiralty as teller of Exchequer. There did not remain an atom of doubt in his mind, that when the House voted additional supplies, they had the power to exempt them from the operation of these fees. There could not be a doubt when the Chancellor of the Exchequer came forward to propose additional taxes for the year, and it would be a most serious question, whether the people were able to bear them, it could not be doubted, that the House were entitled to enact that their produce should pass through the Exchequer, exempted from the payment of fees.

Mr. *Horner* was desirous of stating his reasons for the opinion he entertained on this subject. No committee was necessary to prove what was an undoubted right. Had he entertained any hesitation on the subject, the speech of his right hon. friend (Mr. Ponsonby), would have convinced him of this. Nothing, he conceived, could be so clear as that in all regulations for economical purposes, vested rights must be sacredly protected. If there was even a solitary precedent, as had been alleged, in the year 1740, in which a contrary line of proceeding had prevailed, still he should hold that to be a bad precedent, and one which ought not to be followed. No man could deny the right of the House to regulate, reform, and even abolish offices; but still that must be done subject to regulations. He was prepared to go as far in regulations which had economy for their object as any man, but in doing so, the rights of those having vested interests in such offices must be kept sacred. The property of the state was not to be protected at the expence of private property. All property was the creature of the law, and equally depended on it for protection. If this principle were once broken through by the House, temptation would grow upon them, and there would be no end to it. He reminded the House that such an interference had been one of the steps taken by those frenzied politicians in a neighbouring country to whom it was to be attributed, that that country had so long been the prey to anarchy, and every other description of horrors.

Mr. *Bankes,* after referring to the 38th volume of the Journals, expressed his opinion, founded on some Resolutions which he had found there on the subject of money vested in the Bank, that the money isused for the redemption of the national debt was not liable to the payment of fees. With regard to the question before the House, however strongly he might be impressed with the importance of retrenchment, yet he felt that if due attention were not paid to the vested rights of individuals, the benefits of retrenchment might be more than counterbalanced by the evils of mischievous example. But it could not be denied, that the fees now taken by these individuals infinitely exceeded all anticipation, and all just measure of remuneration for services; and the public also had their rights and interests, which it was the duty of the legislature to attend to. There had already been an example in 1740, of the curtailment of these fees, and parliament was in the frequent habit of exempting grants from that burthen. In such cases it would not be denied that the money was equally secure in its passage through the exchequer, though it paid no dues. Parliament, therefore, had the remedy in its own hands, and no individual had a right to complain, if it more frequently exercised this power of exemption. He thought also it would be well for the executive government, acting on the part of the public, and on the precedent of 1740, to come to some agreement with the tellers for the curtailment of fees which became enormous in their produce when extended to the whole immense expenditure of the country.

Mr. *Bathurst* admitted that the fees received by the tellers of the exchequer were now much larger than at the time of the creation of the offices, but this could not be urged as any sufficient reason for invading private property. As well might it be said that the Chancellor should be deprived of the large emoluments arising from bankruptcies, because in modern times they had been so greatly augmented. If the attempt were to frighten the noble lords into a secession, some ground at least ought to be stated on which the threat was to be founded; above all, he censured any attack by a side wind.

Mr. *Wilberforce* wished before the House came to any decision, that all the facts connected with the two tellerships of the exchequer should be brought before it. He was desirous of knowing whether these offices were in reality to be deemed private property, or whether they were held under any qualification or condition? Nothing could be a greater violation of law and equity than to abolish such a right, without making a previous and full enquiry into its foundation.

Mr. *Tierney* said, that after the able manner in which the subject had been already discussed, he could not expect to influence the House more than it was at present influenced. But feeling a cordial participation in the sentiments expressed by his right hon. friend, (Mr. Ponsonby) he was bound to take his share with him in the unpopularity which might attach to the avowal of his opinions. He lamented the circumstances under which the question came before them, on account of those who, like himself, were favourable to the Bill of an hon. gentleman (Mr. Bankes). He could not conceive any thing more likely than the present motion to defeat the object of that Bill in another place. There, it might be said, "See what the Commons are doing. They send up a Bill, professing to respect vested interests, and wishing to abolish sinecures while they regard recognized rights: but, look at their votes, and you will see that they are going on to the demolition of vested right!" Such arguments would be powerful against agreeing to a good Bill. The law would recognize these vested rights as much as any other species of right. All claims were valid, as they were sanctioned by law; and those places were held by the legal grants of the crown. Could there be a stronger argument on the subject, than that of the duke of Richmond's rights respecting coals? They were called on to vote on grounds of necessity, to which he could see no limit. He spoke not of these grants with partiality, and he knew what was the public view and feeling respecting them: but he must still respect the source from whence they sprang; and nothing that he had heard could induce him to agree to the motion on the mere view of saving the money. How much farther might the principle be extended? These two offices were the subject of the motion, and were liable to observations on account of their enormous profits: but, though vested interests, they could not continue very long: one of the holders was above 60 years of age, and the other not very far from it: certainly more than 50. (Some expressions of dissent.) "I am," said Mr. Tierney, "more than 50; and I know that my lord Camden is my senior." As to their present receipts running on for 20 years, he did not think, on the present scale of expenditure, that it was possible for the war to continue 20 years, and peace would materially diminish their emoluments. He did not know the fact that the fees had ever been diminished by parliamentary controul: the poundage was on the issue, and not on the grant. As to any arrangement, he apprehended, that if the teller did not agree to a reduction, he would have his remedy in a court of law. Was that House to interfere in such a matter? It seemed a monstrous proposition. Let the question be put into a fair train of adjudication, and the right would be soon determined. He thought that the sale of a life interest in such cases would be acknowledged by the courts, the patent would be produced, and the manner in which parliament had looked at the question stated. If parliament changed its opinion, what might become of the unwary purchaser? The practice of parliament had hitherto been in favour of all vested interests. Viewing the subject as he did, he was willing to take his full share of the unpopularity that might follow, from voting in favour of the previous question.

Mr. *Creevey* declared his intention of not dividing the House on his original Resolutions, but on the Amendment of his hon. friend.

The six first Resolutions were then severally put and met by the previous question, moved by the Chancellor of the Exchequer, which was carried against all of them.

Mr. *Brand* moved his amendment to the 7th Resolution, which was, "That a Committee be appointed to enquire into the precedents which exist as to the deduction from, or suppression of, any fees payable to the tellers of the Exchequer for monies issued out of the same."

The *Chancellor of the Exchequer* observed, that of course he could not agree to this amendment.

The House then divided—

For the Amendment	38
Against it	146
Majority	108

The original Resolution of Mr. Creevey was afterwards negatived without a division.

List of the Minority.

Bennet, hon. H. A.
Baring, Sir T.
Baring, Alex.
Brougham, H.
Burrel, hon.—
Colbourn, N. R.
Combe, H. C.
Craig, J.
Chaloner, R.
Creevey, T.
Dickinson, W.
Ferguson, gen.
Fitzgerald, rt. hon. M.
Forbes, lord
Folkestone, lord
Guise, sir W.
Hamilton, lord A.
Herbert, hon. W.
Halsey, J.
Hutchinson, hon. C.
Lemon, sir W.
Lyttleton, hon. W.
Lester, B.
Madocks, W. A.
Mathew, hon. gen.
Mildmay, sir H.
Monck, sir Cha.
Moore, Peter
Ord, W.
Osborne, lord F. G.
Ossulston, lord
Romilly, sir S.
Sebright, sir John
Smith, W.
Taylor, M. A.
Tavistock, marquis
Westerne, C. C.
Whitbread, S.

TELLERS.

Brand, hon. T.
Giles, D.

REFORM IN PARLIAMENT.] The Marquis of *Tavistock*, in pursuance of notice, rose to move for leave to bring in a Bill which would have the effect of amending the state of the representation of the people in parliament.—By means of the augmented influence of the crown, the sovereign was enabled to retain in his service ministers whose conduct received his approbation, though their measures were universally condemned by the people, who loudly called for their exclusion from power. It would not be denied, he apprehended, that the votes of parliament were sometimes in direct opposition to the sentiments of the nation at large; and he believed that it would be equally readily admitted that some reform was necessary. He did not mean to say that it would be proper, in the first instance, to adopt one general or violent measure to attempt an immediate reform: on the contrary, he thought the only wise and prudent mode would be to proceed, step by step, until at length the object so much desired was attained, a full, fair, and adequate representation of the people in parliament. The accomplishment of the design would be much more probable, if the House advanced with caution, than if it at once resolved to overthrow existing and long established rights. The purpose he had in view by the Bill he should afterwards submit to the House, was to limit to a certain extent the expences of county elections. In the first place he should endeavour to prevent the great inconvenience to which freeholders were subject in travelling to the town where the election was to take place, and in the next place to put an end to the corrupt practice of giving money to voters under the pretence of defraying the charges they had incurred in coming to poll; he should suggest that the electors should be allowed to give in their votes in the hundred in which they resided, and that one day be appointed for renewing suffrages in each hundred. He should add to this the establishment of a special county court for the nomination of candidates. His lordship then moved for leave to bring in a Bill "for regulating the election of knights of the shire to serve in parliament."

The *Chancellor of the Exchequer* said, that he did not rise to oppose in its first stage a measure which had in view so desirable an object as the limitation of the expences of county elections. He wished it, however, to be distinctly understood, that he was giving no pledge of approbation to any of the provisions the noble lord might deem it expedient to introduce. He begged also explicitly to declare, that in not opposing the introduction of this Bill, he was not admitting that either that or any other measure was necessary to diminish what was termed the overgrown influence of the crown, by means of which the noble lord had asserted, that the sovereign had it in his power to continue any administration, however impotent or obnoxious to the country. He (the Chancellor of the Exchequer) was convinced that the assertion was not well founded. In the present state of the constitution it was not in the power of the crown to retain in its service any administration that, in the judgment of the people, was unworthy of or inadequate to the situations they occupied. The sovereign, however, had authority sufficient to continue his confidence to those individuals, who anxious for the well being of the empire, had conducted its affairs with as able a judgment, and as firm a hand, as any of their rivals. If the noble lord, or any other member, thought it prudent to throw out any challenge upon this ground, he (the Chancellor of the Exchequer) should be always ready to meet and to answer it, for he conceived the remark to have been made by the noble mover with reference to the present administration. If the contrast were pressed upon him, he would venture to assert that the other side of the House could not adduce a single instance from the transactions of the last administration, which, either in point of vigour, of wisdom, or of success, could for a moment be put in comparison with the exertions and achievements of the present.

Mr. *Brand* enquired whether the Chancellor of the Exchequer would allow that the Bill should be printed and circulated before he gave his decided opposition to it, in case he should feel it right to resist it at all?

The *Chancellor of the Exchequer* replied in the affirmative. He meant to have expressed his willingness to do this in the remarks he had made.

Gentleman Usher of the Black Rod.] Mr. *Bennett* pointed out the propriety of ascertaining the profits and emoluments of the situation of Usher of the Black Rod, and expressed his wish that it should be placed precisely on the footing of a similar situation connected with that House. He thought the officers of the House of Lords ought to be regulated as well as those of the Commons. The emoluments of the Usher in one year, ending in 1812, amounted to 3,562*l.* 18*s.* 3*d.*; and he also learned that he gained considerably by the sale of inferior places, which, as well as the tax which his office imposed on the members of the upper

House, was a species of profit of a disgusting description. In order to afford the House regular information on the subject, he moved—"That there be laid before the House a copy of the appointment of the Gentleman Usher of the Black Rod; together with an account of the fees, profits, and emoluments of the office for the last ten years."

The *Chancellor of the Exchequer* did not deny the right of the House to call for the information demanded. But he would put it to hon. gentlemen to consider how far it would be proper for them to enquire into the emoluments of an office attached to the other House of Parliament. When the hon. gentleman spoke on the subject yesterday, he related a circumstance of which he (the Chancellor of the Exchequer,) as well as others, was of course ignorant. The hon. gentleman referred to the death of an individual (sir Francis Molineux,) who, it appeared, was still in existence, and suggested, that the situation should not be filled till a complete investigation had taken place. He (the Chancellor of the Exchequer) had declined giving any answer; and he now wished to point out the inconvenience which would arise from an interference with an officer of the House of Lords, supported by fees collected at their doors, and recognized by usage. Whatever information the House wanted on the subject, could be procured in a more respectful way than by acceding to the motion. There was then a committee sitting with respect to the fees and emoluments of certain offices, and the House might, by message, place before that committee those who could give full information on the subject. But, if the course proposed were followed, it was most likely that it would occasion a disagreeable feeling in another place. If there were any other mode by which the inconvenience could be avoided he would be extremely willing to accede to it.

Mr. *Tierney* said, he agreed that nothing could be more injurious or improper than to do any thing which might create a feeling of jealousy elsewhere; but he had yet to learn that the Gentleman Usher was an officer appointed by the House of Lords.—The individual was placed in that situation either by the Lord Chamberlain or by the crown; and, consequently, he could see no reason for not enquiring what the profits of the office were. The right hon. gentleman had allowed, that they were authorised to demand a copy of the appointment to the office; why, then, should they be denied an account of the emoluments? The great point connected with the business was, to introduce all such savings amongst the offices connected with the other House, as were intended to be introduced here, on the decease of the present occupants.

Mr. *C. W. Wynn* contended, that the privileges of the other House were not infringed by the examination of officers belonging to them by the House of Commons; and, with reference to what had fallen from a right hon. gentleman, he could not conceive how the House could give to a committee a power, which the right hon. gentleman did not seem to think the House itself possessed.

The *Speaker* shortly stated his reasons for preferring the proceeding by committee. If the person cited by them refused to attend, the dernier resort would be to the whole House; so that in the end, the business, if the first application were unsuccessful, must be decided by them.

The *Chancellor of the Exchequer* dwelt on the feeling which would be excited in the House of Commons, if the Lords sought to enquire into and regulate the emoluments of their officers.

Mr. *Bennet* confined his motion merely to "a copy of the appointment of the Usher of the Black Rod;" which was agreed to.

HOUSE OF LORDS.

Friday, May 8.

Committee on the Orders in Council.] The House resolved itself into a Committee to take into consideration the Petitions respecting the Orders in Council. Messrs. Binnister, Whitehouse, James, and Messenger, of Birmingham, eminent manufacturers of different branches of hardware, were called in, and examined principally by earls Bathurst, Grey, Clancarty, Liverpool, and Lauderdale, the marquis of Lansdown, and lord Erskine. Their evidence went generally to the declining state of the Birmingham trade, which they attributed to the American Non-Intercourse act, and primarily to those measures which occasioned that act.—They had been obliged, in consequence, to reduce the number of hands employed by them, several of whom were compelled to enter the army. They had received a considerable number of conditional orders, from the great exporting merchants, for the manufacture of goods for the American market, in the event of the Orders in Council being repealed. If a remedy was not applied, it was the opinion of some of the witnesses that they could not, on their return to Birmingham, keep up their present establishments, without doing themselves material injury; and, if they were once broken up, it would be extremely difficult to bring their workmen together again. From the whole of the evidence, it appeared that a very great proportion of the Birmingham ware was manufactured for the American market, and that channel being now cut off, the capital of the manufacturer was sunk in stock, which he could not get off his hands.—The House having resumed, the further proceedings of the Committee were postponed till Monday.

GENTLEMAN USHER OF THE BLACK ROD.] Earl *Grosvenor* said, he rose for the purpose of moving, that there be laid before the House a copy of the appointment of the Gentleman Usher of the Black Rod, together with a return of the emoluments of the office for the last ten years, and the sources whence they are derived. The noble earl did not think any opposition would be given to the motion, and therefore submitted it to the House without the customary notice. A motion for similar information had been made elsewhere, but he conceived it should rather originate in that House. The gentleman who held the office at present was extremely ill, and not likely to continue in it for many years. It was therefore proper that an examination should take place previous to the appointment of a successor, and, if the fees and emoluments were found improper, that they should be regulated. There was an office connected with the other House, of a description very nearly the same as that of Gentleman Usher, the emoluments of which were considerably reduced in the year 1800. He understood the Usher of the Black Rod received nearly 4,000*l.* per annum, and absolutely netted from 3,500*l.* to 3,600*l.* annually, and that some of the emoluments were of a very objectionable nature. By acceding to the motion, every information on the subject would be attained, and the House could afterwards discuss the propriety of reducing the profits of the situation, as had been done by the other House, with respect to the Serjeant at Arms in 1800.

The Earl of *Liverpool* had no objection to the information being granted; but the mode in which it was sought to be obtained, was a fit subject for the consideration of the House.

Earl *Grosvenor* said, he had submitted his motion in its present form, because he conceived it the least objectionable.

The motion was then agreed to.

Earl *Grosvenor* next observed, that it would be perfectly proper, if the emoluments of the situation were found to be such as ought not to be tolerated, that an Address should be presented to the throne, praying that a successor should not be appointed, until the office underwent proper regulation.

Earl *Fitzwilliam* approved of the suggestion of the noble earl. The emoluments and their sources ought to be known, and if they were improper, a reduction ought to take place, in which event the necessity of an address was evident.

The Earl of *Buckinghamshire* said, he would not have agreed to the motion, had he been aware of what was likely to follow: as a proceeding of such importance was contemplated, a regular notice should have been given.

Earl *Grey* said, it was a matter of doubt, whether the office would or would not want regulation; but, pending such an enquiry, the office ought surely to be suspended.

The Earl of *Harrowby* observed, that the House ought not, because they had agreed to the motion, to give their consent, without deliberation, to the proposition which followed it. The noble earl, it was true, had not gone so far as to make a second motion—of that he had only given the first blush. But when he intended to introduce it, due notice, he trusted, would be given.

Earl *Grosvenor* said, it would be a very unfair thing, under the present circumstances, if a successor were appointed, without distinctly informing him of the probability that a regulation of the office would take place.

Lord *Holland* opposed the principle laid down by noble lords opposite, with respect to the necessity of giving notices. Although this practice was pursued from feelings of courtesy, to give noble lords an opportunity of attending their duty on particular occasions; still, in his opinion, it would be a perversion of the dignity of the House, if an adherence to the practice was to be always insisted on. If his noble friend, instead of exhibiting the first blush of a motion, had really originated one, on the spur of the moment, he would have been justified in the proceeding. The only objection he knew to the temporary suspension of the office, was one which he did not think noble lords opposite would urge. It might be said, there was a necessity to suspend the situation; because, having appointed a successor, they might afterwards proceed to regulate it; but this would be a most ungenerous act. No time, he thought, should be lost. Information ought to be laid before the House immediately, in order that they might see what regulation, if any, was necessary.

HOUSE OF COMMONS.

Friday, May 8.

Petition from Leeds respecting the Renewal of the East India Company's Charter.] A Petition of several merchants and woollen manufacturers, and other principal inhabitants of Leeds, Wakefield, and Huddersfield, was presented and read; setting forth,

"That the petitioners, with great deference, beg leave to represent to the House, that they conceive the commercial monopoly granted to the East India Company is adverse to the interests in general of the British empire, and injurious in particular to the further prosperity of the various manufactures carried on in that large and populous district; and that the reasons for which this exclusive trade to India was first granted no longer exist, and to prove that the commercial intercourse with the countries to the east of the Cape of Good Hope no longer requires the fostering aid of charter and exclusive rights, the petitioners request the House to advert to the great and rapidly increased trade successfully carried on of late years to India and China by private adventurers from the United States of America; and that the petitioners have to lament the mortifying fact, that in these times of commercial depression and embarrassment, aliens are admitted to participate freely of that very trade which, from impolitic restrictions, is rendered nugatory to British subjects; and the petitioners further beg leave to observe, that the port of London, either for export to or import of goods from the East Indies, possesses now no real advantages over the out-ports of the empire, where more dispatch and economy assuredly prevail, and where the duties are doubtless as securely and faithfully collected; and that the petitioners have strong reasons to believe, that many of the woollen articles of that district, at present unknown in the East, would, through the zeal, enterprize, and discernment of individual exertion, find a copious and advantageous vent in those immense territories to the north and east of the peninsula of India, countries affording great variety of climate, and inhabited by millions of people in almost every state of civilization; and that the petitioners especially beg to state to the House, that they look to the great empire of China as the peculiar object of their hopes, a nation well calculated to consume largely of the staple manufactures of Great Britain, and particularly of the neighbourhood of the petitioners, giving her silks, her teas, and other valuable articles, in return, and that therefore presuming the main causes for the monopoly removed, that it infringes the rights and privileges of the great body of British traders, deprives them virtually of access to a vast and important commerce manifestly beyond the means of the East India Company, and at a time when so many channels for British industry and capital are either considerably obstructed, or entirely closed, the petitioners humbly pray the House to lay open to their exertions the trade to the continent and islands east of the Cape of Good Hope, and above all, to China, permitting them a free choice of ships, ports, and agents, and generally to place them on the same footing as British traders to the Western Indies, or any other British colonies; and the petitioners feel assured, that this measure would contribute more to the prosperity of these realms, in a commercial point of view, than any that ever claimed the consideration of the legislature; and that, finally, the petitioners rely on the wisdom and justice of the House, and with humble but confident hope look forward to its decision for the desired object of this their Petition."

Ordered to lie upon the table.

Royal Canal Company of Ireland.] Mr. *Wellesley Pole* said, he rose for the purpose of moving that the different Petitions, which had been presented to the House relative to the affairs of the Royal Canal Company, should be referred to a select committee, in order that the situation of that Company might be fully investigated, and that it might be ascertained whether, in the present embarrassed state of their affairs, it would be practicable to secure to the public the benefit of that great national work, and to grant any relief to the unfortunate creditors, who, under false pretences, he might say, had been led to their ruin. It would be necessary for him shortly to recal to the recollection of the House what passed upon this subject last session. A Petition was presented from the proprietors of the Royal Canal Company, praying for relief. Their Petition was referred to the consideration of a select committee, and that committee, after a full examination of the subject, reported that, under all the circumstances of the case, it was their opinion that it would not be proper to grant them any aid. He mentioned this fact to shew the House the reason why he had not recommended, on the part of the crown, the Petition which had just been offered. The government of Ireland felt that, after such a report, it could not give its sanction to such a Petition. But if the House should agree to his motion for appointing a select committee to examine the various Petitions that had been presented respecting this Company, the petitioners might, he apprehended, lay their case before that committee, with such documents as they thought proper. His object in proposing the committee, was to ascertain the actual state of the Company, and whether it would be possible to secure to the public the benefit of that great national work, and also to enquire whether any relief could be granted to their creditors, who had advanced no less a sum than 840,000*l.* for which they were not now receiving one farthing of interest. The select committee which he should propose would consist of the same members that formed the select committee last year, with the exception of two names. One was a noble lord, who from his official situation, could not now attend the committee; and the other was sir E. Nepean, who was abroad. He should propose in their room sir G. Hill and colonel Barry. He concluded with moving for a Select Committee, which was accordingly appointed.

SALARIES TO COMMISSIONERS OF APPEALS IN REVENUE CAUSES.] Mr. *Wellesley Pole* then rose pursuant to the notice which he had given, to move that the House should on Monday resolve itself into a committee to consider of a Resolution which he should propose for raising the Salaries of the Commissioners of Appeal in Ireland. These gentlemen had very important and laborious duties to perform; they heard all the appeals from the country, as well as those arising in Dublin. The business of the revenue was so much increased, that their time was now wholly occupied, and he had the satisfaction to add, that it was impossible for any gentlemen to perform their duties in a more exemplary manner, or more to the satisfaction of the public. These commissioners were of very old standing, having been established in the reign of Charles 2, and they were most inadequately paid; their salary was at first 300*l.* a year, which was paid out of the civil list. In 1802 or 3, upon a representation of their case, 200*l.* a year was added to their salaries; so that at present these distinguished persons, who were necessarily eminent lawyers, and who acted as judges in cases of property to a vast amount, only received 500*l.* a year each. This subject had been for some time under the consideration of the Irish government; the case had been referred to the high law authorities in Ireland, who were clearly of opinion that their salaries were inadequate to their labours. Under these circumstances, he should propose in the committee, that their salaries should be raised to 800*l.* a year; that they should hold their offices like the judges, during good behaviour, and that they should be entitled to a retirement of 500*l.* a year after fifteen years service. The pension allowed to the judges was two-thirds of their salary: in the present instance, the sum to be allowed as a retirement was not quite two-thirds. This subject was very well understood in Ireland, and he did not think that he should meet with any opposition in the motion from any gentleman from that country. He had mentioned his intention of making this proposition to a right hon. gentleman, who held formerly a high legal situation in Ireland, whom he did not then see in the House, and that gentleman had expressed his approbation both of the increase of the salary, and of the tenure by which it was proposed that these gentlemen should hold their offices. He had only further to add, that he should propose that these salaries should in future be paid out of the consolidated fund. There was now a deficiency of seven or eight thousand a year in the civil list in consequence of the increase which had been made to the salary of the lord lieutenant, and by transferring these salaries to the consolidated fund, the civil list would be relieved of 1,500*l.* a year.—If the committee should agree with him in thinking that these salaries should be raised, there could not, he was persuaded, be any objection to the increase taking place from the commencement of the year.

The motion was agreed to.

COMMITTEE ON THE PETITIONS OF THE FRAME WORK KNITTERS.] Mr. *P. Coke* rose to make a motion relative to the Petitions presented from the Frame-work Knitters of the town of Nottingham. He was not himself prepared with any specific remedy for their distresses, but wished to refer them to a Select Committee above stairs. He then stated, that there were two sorts of lace-manufacture, one by double, and the other by single press; and some measure should be adopted to prevent the selling of single press-work for double.

Mr. *J. Smith* seconded the motion. He said, it was lamentable that the number of frames in four years was reduced from 700 to 150. This arose partly from diminution of trade, and from war, but chiefly from the manufacture of a coarse and base fabric, which had been introduced to the destruction of the reputation of the lace-manufacture.

The Petitions were then ordered to be referred to a Select Committee, who were to examine the matters thereof, and report the same to the House, together with their observations thereupon.

REFORM IN PARLIAMENT.] Mr. *Brand* rose, pursuant to his notice, to submit to the House a motion upon the present defective State of the Representation of the country. He could not, however, but express his extreme regret at beholding the thinness of the House, when a measure so important was to be discussed. He would not suppose that it had arisen from any indifference to a subject which animated all persons to whom the best interests of the country were dear, and he could therefore only conclude, that it was to be attributed to the weakness and inability of the humble person who then had the honour of addressing them. When he looked around him, however, he saw some whose presence would amply console him for the absence of others, and thus supported he should proceed in the task he had enjoined himself. The measure he intended to propose, was one, he trusted, which would not be resisted *in limine*, from any apprehensions as to its effects upon the constitution. The day of alarm had gone by, and the question might now be dispassionately discussed, without the fears of parliament being excited by representations that it involved the safety of the constitution, or that it was imitative of that never-failing watchword of terror, the French Revolution. For himself, he wished to declare, that it was not as the friend of innovation or of speculative improvement that he offered himself then to the attention of the House, but as the zealous and strenuous assertor of the rights and privileges of his countrymen, and therefore he relied confidently on their support. All questions that pointed at Reform were, he knew, viewed by many with a certain degree of apprehension; and when such questions were agitated, the people were commonly alarmed, by being told to look at the countries on the continent, now prostrate at the feet of a military despot. But in his opinion, we might profit by the example of other nations, in the same manner as we profited by their sufferings. Perhaps he should be asked, why press a measure like that upon the House, when it was notorious, that the people at large were indifferent about it? He denied, however, this frequent and confident objection; he denied that the people were indifferent. Were there not Petitions upon their table from the city of London, from the city of Westminster, from the counties of Middlesex and Essex, and from other places, praying for a Reform in the representation of the country? The necessity of some reformation had been also, in various ways, uniformly and strongly pressed upon their attention. But if such were not the case; if there existed no such expressions of public opinion upon the subject, yet certain statements had been made to that House, which loudly called upon it to enter upon the discussion; which, in his opinion, should make the desire of that Reform, a natural impulse of patriotism in the bosom of every member; and which rendered it a duty imperative upon the present House of Commons, beyond what it had been in any former period. He alluded to what had been stated by a member of that House in his place, that ministers openly and avowedly adopted the most corrupt practices, in order to obtain seats in parliament, for those who would vote in support of their measures. A motion founded on this charge had been rejected, because it was thought indelicate and unfair to proceed against persons for conduct so notoriously common. At that time statements were made, so disgraceful, that their Speaker himself, with all his great constitutional knowledge, pronounced them to be such, that "our ancestors would have startled with indignation" at them. And yet, notwithstanding these statements, parliament had gone on, without effecting any salutary regulation, and leaving the people to form the dangerous opinion, that their representatives were attentive to their own interests, but utterly disregardful of the rights of their constituents. Admitting, as he was disposed to do, the universality of the practice alluded to, that, in his opinion, was only an additional ground why the question should be entered into by parliament; instead of which it seemed to be, unfortunately for the country, neglected with a sort of sullen indifference, or left to the zeal and industry of individuals to propose remedies, when they ought rather to originate in the combined wisdom of the legislature. Notwithstanding, however, such seemed to be the negligence of parliament in that great question, he should venture again succinctly to recommend the consideration of it; he said succinctly, because he had, two years ago, stated a general outline of what he conceived to be the remedy, corresponding with the ancient practice of the constitution.

On that occasion he had maintained, and he still maintained, that the great danger which threatened the coustitution, arose from the number of members returned by places which were now uninhabited and desolated, or which possessed so few inhabitants, that it was mockery to continue to them the elective franchise. He had, as a matter of curiosity, made an extract, which he believed to be correct, of the present state of the representation; but if any gentleman doubted its correctness, let him move for committees, and he would prove at their bar, that what he was now going to mention, was the actual state of the representation of the people, or rather their absence of representation. On this subject, however, he wished to observe, that he never had contended against the fair right of property in influencing the representation of the country, and what he should first state, therefore, was more a matter of curiosity than any thing else. It appeared, according to the facts which he had collected, that 182 individuals returned, by nomination and otherwise, 326 members to that House. In specifying that number, he was to be understood as speaking of the united empire of Great Britain. There were also above seventy placemen in the House of Commons, and above forty persons who were returned on either side, by that which was denominated a compromise. Having stated those facts, he owned he was at a loss how to express himself upon them, in what might be deemed becoming language; he knew not where to find expressions which would adequately convey the feelings he had upon this occasion, for it was to be remembered, that notwithstanding such was the present representation of the country, the House of Commons had, by their decision in a case to which he had already alluded, voted themselves a full, fair and free representation! But, how could it be held a full, fair and free representation, when, upon the most moderate computation (and he wished to avoid all extreme calculations,) there were 292 persons among them so brought in, that they could not exercise a full and fair discretion upon any subject brought under their consideration? Would any person pretend to call such a representation a proper one? And yet, a House of Commons so composed was returned for seven years. With regard, indeed, to Septennial parliaments, much as he objected to them in principle, he should not wish the Act which authorised them repealed, unless some mode of limiting and decreasing the expence of elections was previously adopted. Fortunately, however, such a mode was now in contemplation. A noble lord whose name was enrolled in the annals of his country, as a name dear to the cause of freedom, had moved for leave to bring in a Bill, the specific object of which was to contract the enormous expences which now attended an election to serve in parliament. That measure, if carried, would ultimately lead, he hoped, to a plan which would prevent the too long suspension of communication between the constituents and their representatives. The Septennial Act, indeed, had always appeared to him a manifest violation of the principles of the constitution; for if the parliament had the power to vote itself a duration of seven years, he saw no reason why they might not have equally voted themselves for 20 years, or even for life. Such a proceeding, therefore, he could not but consider as unconstitutional, and indeed, he knew but two points of the constitution which had been untouched by that House, namely, the Acts of Union.—If however, the House of Commons possessed in 1734, the power of voting itself septennial, why had not they an equal power now to vote themselves perennial, if they were so disposed? He was at a loss to imagine what plea could be urged in defence of such a step, except that perhaps of expediency; but he thought it most inexpedient that there should be such a suspension of intercourse between the representative and the electors. It removed that wholesome check upon the proceedings of a member which a quick return to his constituents would create; and it tended to excite in him a consideration merely of his own individuality, so to speak of his own personal advantage. If any proof were needed of this, it would not be difficult to produce it; and he would refer, as one sort of proof, that the expectation of soon meeting their constituents was a necessary check upon members; to the lists of names to be found on some recent occasions, and among which were certainly some which would not have appeared had this been the first year of their return to parliament. Having now stated the evil, he came to the remedy. Here it was natural to expect that there must be doubt, and difficulty; however, he had only to state what, in his humble judgment, appeared to be the measures best calculated to remedy the mischiefs of which he had been complaining. He would say, that generally the leading steps to such measures would be—first, granting to copyholders a right to vote; and secondly, abolishing the right of nomination so as to generalize the right of voting, and thereby more fairly to proportionate the number of representatives to the extent of the population of each place represented. He need not remind the House of the preposterous disproportion which at present existed, where many depopulated, desolate boroughs returned as many members to that House as the whole county of York, while Manchester, Birmingham, and other opulent towns returned not one member to parliament. Great as was his sense of the evils resulting from the present inadequate system of representation, he should yet rather submit to their continuance than propose for them a remedy not to be found in the ancient constitution of this country. The remedy he had suggested was, he contended, to be found in that constitution, and would be rather a restoration than a change. It was idle to say that the extension of the right of suffrage would weaken the influence of property, whether that right was or was not spread out upon the surface of the population, still property would, and must have its natural influence. But he objected that 182 persons should regulate and command votes in the House of Commons; it was revolting to his mind, that seats should be bought and sold in open market for immense sums, when it was clear, that the only profit to be derived from them was the assumption of the rights of others; above all, his mind was filled with disgust, when he contemplated that persons who came home loaded with the wealth of either Indies,—persons used only to the treatment of slaves, should have the power of nominating members to the House of Commons.—He would propose then to get rid of nomination, and to throw the representation of the close boroughs into a more enlarged representation of the more populous counties—these boroughs, which Mr. Pitt, (whom he confessed he was not much inclined to admire except for his extraordinary talents) in the early and purer part of his political life, made such efforts to abolish, were said to amount at that time to thirty-six in number. These, it was well known, were made mere articles of commerce, common conveyances for the transfer of the rights of Englishmen from one borough-monger to another. It had been suggested, in conformity with the ancient practice of the constitution (which he would always keep in view) that these boroughs might be thrown into the hundreds; and as to the objection that the poor voter would be more accessible to corruption than the rich borough-holder, he would wish to know the difference between the poor man taking a bribe of five guineas for his single vote, and the rich man accepting as many thousands for nominating to a seat in that House, unless it was, that in the former case the corruption went no farther than the abuse of a single vote, and that in the latter the nominator had for his money a power to dictate to the crown, to the minister, and to the people. One part, therefore, of the plan he had in view was, to bring in a Bill for the abolition of those boroughs, which were now known to be as common articles of trade as the woollen of which the coats they wore were made; from the abolition of these boroughs, and the consequent appropriation of a more extensive suffrage to the more populous counties, would arise an equalization of members to the different parts of the empire. As to the other part of his proposed remedy, that of admitting copyholders to the elective franchise, this question had been much agitated in the middle of the last century, being started in the county of Oxford. It was in the course of this controversy that sir William Blackstone wrote his able treatise on copyhold tenures, and that eminent authority was clear as to the constitutional right of copyholders to vote. He (Mr. B.) therefore, in proposing that they should be admitted to the elective franchise, was proposing nothing foreign to the ancient constitution. He had omitted many topics which he had on a former occasion introduced, especially the subject of Scotch representations, in which, more than in any other, the feudal rights were abused. This question was in the hands of one (Mr. Brougham) who, by his learning and powerful influence in that House, would be able to do it ampler justice; his own immediate object, was to repress the system of nomination; to prevent the disgraceful mischief that a House of Commons should be constituted and influenced by an oligarchy, and bow in obedience to the directions of a portion of the monied interest. He did not wish to speak outrageously, but there was now scarcely any person who contended, that the representation of the people was either preventive of corruption, or efficacious against the inroads of the crown. Parliament was just in such a state, that it could be said, that public abuses were not condemned, but exposed; and they were exposed, because they were intended to be sheltered. It was always in the power of the minister to cover over every enormity by his majority. He did not mean the present ministry; he spoke historically, or, perhaps, by anticipation; and it was possible that a ministry might exist who would not think proper to govern by majorities. However, it was scarcely necessary for him to add, that on the Walcheren enquiry the country did not sympathise with the House. (Hear!) Gentlemen might cheer as they pleased, but his argument went against no administration. His argument was intended against the House of Commons as it was at present constituted, and in favour of that feeling of the people which tended energetically to produce a purity which would be above all temptation. He was ashamed thus to delay the House before empty benches; but he confessed, that on such a subject, he expected a more full attendance of those members who usually voted on the same principles with himself. It was possible, that if the question was one of party against party, he might command a more respectful attention to his motion; but the fact was, that it was a question between a disgusted aristocracy and a borough faction; and the latter being the richer, would, he was afraid, be predominant. Give him seven or eight borough proprietors, and he had not the least doubt but that at all times he would be able to command a majority of the House. His object was not to put down any minister, but to destroy a dangerous and prevalent oligarchy. His object was not to innovate, but merely to restore the constitution to its former state; it was not to break down, but to build up those fences which the great innovator, time, had rendered necessary to its protection.—The hon. gentleman concluded with moving, "That leave be given to bring in a Bill to repeal the Act 31 Geo. 2, c. 14, 'for further explaining the laws touching the Electors of 'knights of the Shire to serve in Parlia'ment for that part of Great Britain called 'England,' and to entitle copyholders to vote for knights of the shire."

The Marquis of *Tavistock*, in seconding the motion, alluded to the manner in which the observations that had fallen from him last night, had been met by the right hon. the Chancellor of the Exchequer. That right hon. gentleman seemed to consider what he then heard as personally directed against himself, when it was merely intended to apply to the influence of administrations in general over the deliberations and decisions of that House. It was well known that persons, when opposing the measures of government in that House, had been threatened by members of that government with an appeal to the people—a threat that could not but imply a consciousness on the part of government of their own influence in getting members returned to that House more tractable to their wishes than those they had so unconstitutionally menaced. As to the appearance of the House, he was extremely sorry that it was so thin; but this very fact of a thin House on such a subject was with him a great argument for a better representation of the people. It was at least an argument, that the House of Commons would never reform itself. The error did not lie in this or that administration—the root of the evil was to be found in the defective and corrupt system of representation in that House. If the present motion should be agreed to, and that the House should be disposed to suffer the Bill, for the introduction of which leave had last night been given, to pass, it was in that case his intention to follow it up with another Bill for the repeal of the Septennial Act; this subsequent measure, however, must depend upon the fate of the other, for he agreed with his hon. friend, that if the expences of the present mode of carrying on elections could not be done away, triennial parliaments would only encrease the evil they were designed to remedy, and by giving the victory to the longest purse, alarmingly extend the influence of the crown. He at once admitted and regretted the division of opinion that prevailed amongst even the best friends of Reform, as to the precise mode in which Reform could best be carried into effect. He thought, however, that the differences were such as might admit of complete accommodation, and he believed, that if the real friends of Reform could meet, and frankly consult together, that their dissensions would be soon reduced to points that would be found to be any thing but important. Some persons would be content with nothing less than what they called radical Reform; others thought moderate Reform would be the less hazardous proceeding; it appeared to him that both these parties might be easily reconciled by a Reform radical, as far as it went, to the root of all corrupt influence, and moderate as far as it restrained itself within the limits of practical good sense, and kept clear of all the wild theories of visionary speculators. He trusted that in their attempts to prosecute this desirable object, they should not again be met with such an objection as had once been thrown out in that House, that a certain portion of corruption was necessary to the carrying on of the government. Such sentiments could not be too strongly censured, for the toleration of corrupt maxims in theory, must soon lead to the justification of corrupt principles in practice. He concluded by calling upon the House ever to keep in their recollection the memorable saying of Montesquieu, that when the legislature should become more corrupt than the executive, the liberties of England were no more.

Mr. *W. Elliot* warmly opposed the motion. It appeared to him to be nothing less, than staking, on a precarious and desperate chance, the experienced and acknowledged benefits of a constitution, which had hitherto been the admiration of the world. There was no form of constitution which had been attended with more beneficial effects than that of Great Britain, a fact which was sufficiently demonstrable from the contrast between the state of the continent and of England at the present moment. The former, exhibiting all the distresses incident to the successful career of a despot; the latter enjoying perfect tranquillity and uninterrupted prosperity.—When he looked at the present state of the country, unshaken amidst the convulsions that had so long surrounded it, he could not readily consent to the impeachment of that constitution, which had kept them safe from the general ruin. The principle of Reform was to give the people a greater share and influence in that House than they at that time had—to prevail on him to accede to such a principle, it must be first made out, that the people had not then all the influence in that House which they ought to have. He thought they had. Those who were advocates for a reformation in parliament, were bound to shew, first, that the happiness and prosperity of the people were diminished; and secondly, that that diminution resulted from the defects in the representation. The existing commercial distresses were out of the question, they were of a temporary nature, and originated in different circumstances, although he was by no means disposed to conceal their magnitude; convinced as he was, that to be fully sensible of our dangers, was the surest mode of bringing to a successful issue the dreadful contest in which we were engaged. It might be said, that those distresses arose from the war. The making of war was the prerogative of the crown. But that in supporting the present and every war since the Revolution, parliament only expressed the sense of the people; however mistaken that sense might be, a reference to history would indubitably establish. Into the war of 1739 the government of that period were urged by the people. The American war, so adverse to equity and sound policy, and the ill effects of which were felt by Great Britain to this day, was a war in which the people concurred. Only one Petition from the people had been presented against it. It was the virtue of parliament and not the virtue of the people that put an end to that war. The economical reform that followed was owing to the virtue of that House; and when it was remembered how the people afterwards treated that parliament, there could not be much said either for their patriotism or for their constancy: and it was remarkable, that were it not for that very part of the representation which it was now proposed to do away, that House might never have been adorned with the great characters that then did so much for their country, and who must so long live in its annals. So with the present war, the people were so completely with Mr. Pitt in the support of it, that the enemies of the war in parliament retired from their seats for a time, in utter despair of making any impression on the minds of the people, favourable to what they conceived to be the true view of things. The inference was, that the present war was not attributable to any defect in the representation, since the people maaintained as strongly as their representatives the principle on which it proceeded, and yet to the war the existing distresses of the country were attributable. In general the House spoke the sense of the people; and as to any particular decision either upon the expedition to Walcheren, or on any other topic, there could be no argument from particular decisions against the general practice of the constitution. No plan could remove the imperfection of human nature—no plan could produce an uninterrupted course of wisdom, or secure complete unanimity. There would still be majorities and minorities, and the latter would still complain of the corruption of the former. The theory of the British constitution was incapable of being defined; it could be deduced only from practice; it consisted of mutual checks and controuls among its component parts, the mode of operation of which it was not very easy to ascertain; it stood on prescription; it grew out of the feelings and habits and necessities of the people. The actual state of things therefore was the only criterion by which to judge of our institutions. Let that rule be applied to representation.—It was true that Birmingham was not represented—that Leeds was not represented—that Sheffield was not represented. But were these places less flourishing than York, which was represented—than Hull, which was represented—than Bristol, which was represented? Were the interests of any particular place neglected in the House? The fact was, that the House represented the whole country. But the reformation proposed would at one blow exclude from parliament, many of those who were best calculated to do the country service. No one wished more than he that there should be an identity of interest between parliament and the people; but he confessed that he did not wish to see parliament whirled about by every gust of popular opinion.—There was no part of the proposition for Reform, to which he so strongly objected, as to the restoration of triennial parliaments. It was said that they would be more pure. On what was this assertion founded? If experience were consulted, it would be found that triennial parliaments had been more personally corrupt than septennial. Their only effect on the people was to corrupt their morals, by taking them more frequently from their occupations, and by originating endless animosity and contest. An analogy in favour of Reform had been attempted to be shewn, from the reduction of the representatives of Ireland. That reduction was necessary; the proposed Reform was unnecessary; and therefore he would not hazard it. So with respect to the proposed Reform in the representation of Scotland, his argument was, that Scotland was the least adequately represented of any part of his Majesty's dominions; that that state of the representation of that country had existed for above a century, and yet that no part of his Majesty's dominions enjoyed greater prosperity. Why risk all this good? When his hon. friend proposed leading the House into these unexplored regions of ideal purity in parliamentary representation, it would be well that he had explained how far he wished to carry them. How vague, how undefined, how opposite, were the opinions of those who professed themselves to be the friends of Reform! They scarcely got together at the Crown and Anchor Tavern, or at the Freemasons' Tavern, before they began to dispute upon their respective plans. How would his honourable friend propose to reconcile these discordant opinions? How could he conciliate those who in 1793 presented a Petition founded on the abstract rights of man? How could he conciliate that great patriarch, as he was called, of Reform, major Cartwright?

How would he conciliate those who maintained the opinions of Mr. Flood? A Society had lately been established under the name of "the Hampden Club." One of the resolutions advertised as proceeding from this club was,—"That according to the principles of the great Camden, taxation and representation were inseparable." Now if this meant (and from its having the name and sanction of the honourable member for Westminster, he supposed it did so mean) that every man who paid a tax was entitled to a suffrage, how would his hon. friend conciliate these Hampdenians? Whose minds did his hon. friend think he would settle? He (Mr. E.) could tell him what minds he would unsettle. He would unsettle the minds of a large portion of the population of the empire. He would unsettle the minds of many of those who were attached to the constitution as it stood. He would tear up that stable anchor of the state—a prejudice for antiquity, a reverence for ancient usage and acknowledged benefits; and he would turn the country adrift upon the rocks of vain speculation and fantastic imaginary improvement. Never was there a period when any measure of Reform in the representation in parliament was less called for. Never were there fewer Petitions on that subject. He confessed that he entertained some doubt with respect to the validity even of the few Petitions for a Reform in parliament, which had been laid on the table of that House. The advocates of Reform knew very well how to mimic the public voice. He did not, however, believe, that there was any thing like a general feeling on their side. In this opinion he was confirmed by their own complaints of the languishing state of the public mind on the subject, and of the necessity of stirring it up to exertion. Their efforts, however, had evidently failed. To commence a Parliamentary Reform at the present moment—(even were it necessary, or advisable at any period) would, in the words of an estimable friend of his, be to begin the repair of a house in the hurricane season. At such a critical period, was it prudent to call on the people to search the very foundations of the commonwealth? Such an attempt would be only to make a breach in the walls, and to let in all the fury of the elements upon that venerable edifice, which had hitherto stood so many storms and assaults. On these grounds he should give his decided vote against the motion; and he earnestly hoped and prayed, that it would receive the negative of a large majority of the House.

Mr. *Lyttelton*, admiring as he did, the singular eloquence and statesman-like speech of his hon. friend who had just sat down, and coinciding with him also in many of his premises, felt himself obliged to dissent from his conclusion. He agreed with his hon. friend, that the constitution of England was built not on theory, but on prescription and practice. He agreed with his hon. friend in his objection to many of the doctrines of the reformers, and particularly to those of the hon. member for Westminster. To say that to return to the state in which the representation was 500 years ago was no innovation, was to deceive ourselves. The different situation of society rendered the recurrence to such ancient principles impracticable. But he differed from his hon. friend, in thinking that no Reform whatever was necessary. Making every allowance for the probability of his being biassed by party feeling, he still was persuaded that the House of Commons had sunk in public opinion. When he thought on this subject, he did not feel it difficult to point out instances in support of such an opinion. One case was of a peculiarly striking nature—one of great parliamentary corruption—well calculated to create indignation in the House—a sort of high treason, if he might use the expression, against the House—but of which, notwithstanding it was clearly proved, the right hon. gentleman opposite, and the noble lord near him, were acquitted. The Walcheren expedition too, was another question on which the House had lost ground in the public opinion. If these were instances, as he conceived they were, of undoubted corruption, and if the votes then come to by the House were to be attributed to the influence of the crown; then, he contended the influence of the crown ought to be abated in that House. Every man who contemplated the composition of parliament, would agree that there was in the House as much talent, as much knowledge and capacity for business, as much character, and as much property, as it was reasonable to expect could be obtained by any change which might take place. It was to an abatement of the influence of the crown, therefore, that the House must chiefly look. The corruption was to be traced to the excessive number of placemen and pensioners. That members of that House should hold those places, at least to the extent they did, was a blemish in the eye of the public. It was in the power of a minister (he spoke not of the present House of Commons) to attach young members to him, by holding out to them the expectation of places, and thereby to procure votes which he would not otherwise have had. There were in the House of Commons, too, another set of men, who, if the crown did not act upon them, still had no tribunal to answer to. There ought, he contended, to be in every instance a public tribunal;—he did not talk of the rabble, but of the people of this country, to whom every member should be responsible for his conduct. So long as that House continued as it was he could not hope for any great change, but the patronage of the crown would still continue to have a similar operation on the House. He hoped to see the time when the apathy with which gentlemen seemed to regard this state of things would cease—when they would assume a spirit which should lead them to keep a watchful eye on the motions of the minister of the crown, and on the exercise of the royal influence in that House.

The Hon. *J. W. Ward* rose and said:

I am perfectly sensible, Sir, that there is no occasion on which it does not become me to apologize to the House, when I presume to trouble them with my opinion; I am also sensible that a more than ordinary apology is required for addressing them upon a subject which has already on former occasions undergone repeated discussion by some of the greatest men this country ever produced, and which we have again, this night, heard treated in so able, eloquent, and, to my mind at least, satisfactory manner, by my right hon. friend who spoke second in the debate. And indeed, Sir, it is not with any expectation of being able to add any thing to the arguments that have been already used, still less with that of shaking the conviction of any man's mind, that I now offer myself to your attention. But, Sir, entertaining upon this question a deep-rooted opinion, and feeling upon it a most anxious wish, I am desirous, as it were, once for all, to place my sentiments upon record, and, at the same time, which is also necessary, to clear up that misunderstanding and free myself from that misrepresentation, to which those who think as I do are exposed, and particularly in these times.

And if this were not a question upon which I take a more than ordinary interest, if it were not one upon which I think the public has a right to a free and open profession of faith from every person that even takes any share, however inconsiderable, in the debates of this House; if I felt myself at liberty to decline contributing in however small a degree to stem that tide of mischief which I tremble to see flowing in upon us every moment with increasing rapidity and power, I should not rise to oppose a motion for a Reform in Parliament. Sir, I well know that if I undertake to argue against this favourite measure, I must do so in the face of great authority living as well as dead; I must do so in opposition to the recorded opinion of a great majority of those with whom I usually act, I must do so at the risk of incurring some odium and at the certain loss of that share of the public favour which an opposite line of conduct, even when pursued by the humblest abilities, is now almost certain to obtain. For, Sir, it unfortunately happens, and it is by no means the least of those disadvantages with which we have to contend, that though, as in my conscience I believe, truth and sound reason are with us, all those specious arguments, and all those splendid topics of declamation that address themselves with most force and effect to the popular mind, are ranged on the side of our adversaries. It required no great skill in the reformers to enlist in their favour some of our soundest principles and some of our strongest feelings. The great mass of society, who love liberty and who hate corruption, are naturally inclined towards a project which they are continually told, and with very little contradiction, is to extinguish corruption, and bring the principles of freedom into more decided and more extensive operation. All hasty views, all first impressions are in favour of Reform, and we must discuss this question under the disadvantage of having to oppose reason to passion, and of endeavouring to divert men's minds from vague hopes and delusive promises to the cold dry maxims of prudence and experience.

And, Sir, if the reformers had been contented to avail themselves of those advantages which fairly belong to the cause they have espoused, however much I might have regretted that such advantages should exist I should not have thought myself entitled to object to the use of them. But, I think I have a right to complain of the manner in which this question has been treated, not indeed within the walls of this House, but in almost every other place in which it has been discussed. Sir, if there ever was a weighty and delicate problem in politics, if there ever was one which might fairly divide the opinions of wise and good men, if there ever was a question that ought to be treated calmly, dispassionately, and without reference to mere personal or temporary motives, it is this. And yet, Sir, how have the reformers proceeded in all their numerous speeches and writings? Why, no pains have been spared, no arts have been left unpractised in order to fix upon the enemies to the measure the most odious and the most despicable motives. We have been represented in almost every sentence as the patrons of corruption, the enemies of freedom, the shameless interested advocates of a system alike repugnant to common honesty and to common sense. Sir, I had rather discuss this question without reference to the motives that may be supposed to actuate either party, but if I were compelled to enter into that consideration, I should do so with reluctance indeed, but without apprehension, nor should I be afraid to challenge for the enemies of the measure as strict an investigation into character and motives as may be thought expedient for themselves by the most strenuous advocates of reform. Perhaps indeed the charge of sinister intentions may not only be repelled, but retorted, and we may venture safely to ask whether the history of all mankind, whether our own history in particular, but more especially, whether the history of the times in which we have ourselves lived, does not shew that if the friends to the ancient order of things are liable to the imputation of corruption and profligacy, and hostility to the principles of freedom, those that aim at great changes and adopt high popular courses, may not with as much reason be suspected of a mean desire to catch the applauses of the mob, of endeavouring to obtain by their violence that share of reputation which they never could have acquired by worthier means, of mounting to power on the shoulders of those whom they mean afterwards to betray, of a low vanity, and of a cruel, desperate, and unprincipled ambition. "Ut imperium evertant, libertatem præferunt, postquam evertere, ipsam aggrediuntur."

But Sir, without entering further into this most unpleasant part of the subject, on which I only touch defensively, and for fear I should be supposed to acquiesce in the justice of those imputations which I had passed over in silence, I shall proceed shortly to state the grounds upon which I shall oppose this motion.

Every person that has attended at all to the history and progress of this question, must have remarked that there are two separate grounds upon which the plan has been rested, that of right, and that of expediency. Since the failure of that great Reform called the French Revolution, which proceeded almost entirely upon speculative principles, the doctrine of abstract right has been in a great measure abandoned. The tremendous example which that event exhibited to the world, has indisposed the minds of men towards a doctrine so fruitful in calamities, and in crimes, nor, so far as I know, has it ever been directly and avowedly made the foundation of any argument in this House. The Petitioners indeed proceed upon both grounds, but first and principally upon that of theory. They state some practical grievances, but by far the greater part of their objection to the present constitution of parliament, is of a purely speculative kind. For when they have once shewn, in the sense, and generally in the very words of that celebrated Petition which was prepared by my right hon. friend near me in the year 1793, and which has served as a text book to all subsequent lecturers upon the same subject, when they have once shewn what nobody denies, that a very large majority of the House is returned by a very small minority of the people, and that the crown and the nobility exercise a very considerable influence in it, they think they have made out an unanswerable case, and that they have nothing more to do than to exercise their talent for invective, against the House itself, and all its defenders. Sir, I shall not take up your time by going into the merits of this argument, because I am persuaded that there are but few indeed among those whom I have the honour to address with whom it will have much weight. To them it is unnecessary to prove that the House of Commons neither is, nor ever has been, nor ever ought to be, framed upon a purely democratical model, and that a certain influence both of the crown, and of the nobility, in an assembly which has in a manner absorbed the whole power of the state, is absolutely necessary, in order to save both from utter destruction, and that consequently the only question is, as to the degree of influence that ought to exist. All I wish is, that gentlemen should keep the nature, extent, and unavoidable operation of this principle, if it is once admitted, clearly before their eyes, and particularly to point it out to the attention of those who are inclined to adopt what is called a moderate reform, and who believe that the bulk of the reformers would be satisfied with any thing short of an utter subversion of the whole system.

In the few words therefore with which I shall trouble the House, I shall consider this question in that point of view in which it has been considered by the hon. mover of this question, and by all its most temperate and most judicious advocates, and by those who from their character and talents are most likely to influence public opinion, that is, as a purely practical question; and I shall direct my attention to the arguments not of those who think that men have an abstract right to this or that particular mode of government, but of those that without reference to any such doctrine, imagine that the condition of the country would be ameliorated by a change in the representation. The course of reasoning which they have adopted is completely different, much less alarming in appearance, much less revolting to the friends of our constitution, but quite as fallacious in its principles, and quite as mischievous in its tendency. They begin by grossly exaggerating the evils that exist under the present system, they ascribe them all to that system, and they conclude by recommending Parliamentary Reform as the safe, certain, easy remedy for them all.

Now, Sir, in the first place I must beg leave to remark, that the way in which the reformers have overstated the public grievances affords no very favourable specimen either of the goodness of their cause, or of the temper in which they are disposed to discuss it. Indeed some of the doctrines that one has heard upon this subject exhibit the most remarkable instance with which I am acquainted of the power of a heated imagination in blinding men to facts which every moment experience seems in a manner to force upon their attention. The more violent part of the reformers have treated the constitution and government of this country, as if they were speaking of Spain, or Turkey, of the Divan, or the Cortes; of a system so incurably vicious that every thing was to be gained, and nothing to be lost by a change. How the present order of things may appear when tried by any new test, or measured by any new standard of ideal excellence, I know not; but sure I am that if it is compared with any thing that is, or with any thing that has been, it can only gain by the comparison. I know no better test of the excellence of a constitution, than the happiness of the people that live under it. In estimating that happiness in any country, one is naturally led to compare it with other countries, and with itself at other periods, and if upon examination we find that for the last century it has gone on increasing in prosperity, if the last twenty years, notwithstanding the pressure of continual war, have been years of the most rapid, visible, and essential improvement; if turning ourselves towards other countries during the same period, we find them torn by anarchy, crushed by despotism, or desolated by foreign conquest, we shall not, I think, be inclined to come to any very hasty conclusion against that order of things under which we have exclusively enjoyed so many blessings; we shall perhaps be still less inclined to do so, when we call to mind that some of those nations, the internal condition of which we now regard, and justly regard, with wonder and compassion, have been made the subject of some political experiments conducted by as able hands as any that are likely to be employed in the business of reform here, and from which as much good was as confidently predicted, as any man can now venture to anticipate from a change in the constitution of England. Sir, I do not mean to insult the good taste, and waste the time of the House, by declamations upon the excellence of our constitution, or the happiness of the people; I merely wish them to keep in mind, that the object of reform is not, because it cannot be, to restore us to any state of happiness from which we have fallen, nor to place us upon a level with wiser and happier nations, but that what these gentlemen pretend to accomplish, and that for which they wish us to place every thing upon the cast of a single die, is to elevate us to a state of political purity and excellence, of which we at least know thus much, that it never existed nor does exist, in this or in any other nation upon earth. At the same time I am not disposed to carry the argument that arises out of this circumstance further than it will fairly go. I am perfectly aware that it is bad reasoning to say, that because we have a good constitution now, because the people are tolerably happy, and because on the whole we are better off than our neighbours, therefore no attempt ought to be made to improve the constitution, or to render the people still happier. The history of our own country would be a sufficient refutation of such a doctrine. There was a time, for instance, before the constitution of England had attained to that pitch of excellence to which it was afterwards carried, when with the royal power still undefined, with the courts of Star Chamber and High Commission still existing; in spite of all these blemishes, our constitution was better than that of any other country in Europe. Yet that neither did prevent, nor ought it to have prevented all those glorious efforts for its amelioration which have rendered it superior to any form of government that ever existed in the world. Nor do I even contend that excellent as it now is, it has attained to the utmost possible pitch of perfection, or in other words, that we enjoy all the happiness that positive institutions can confer. But as often as we hear those exaggerated and mischievous statements of the public grievancès, which by appealing to the prejudices and passions of the multitude, tend to disgust them with the whole existing order of things, so often must we be permitted to remind them of their real condition. Whether or not the constitution of this country has defects which it is possible to remedy, is another consideration, but this much is certain, that we enjoy a measure of tranquillity and happiness unknown to any other country in this stormy and disastrous age, that we have hardly tasted that cup of bitterness which has been drank to the very dregs by the rest of the civilized world; in short, that we are in a state in which much can be taken away from the stock of public happiness, and in which little can be added to it; a state therefore in which we may well pause before we adopt any great, radical, and uncertain change.

I say we ought to pause only, because all that I contend is, that the actual excellence of our constitution, and the happiness of the people that live under it, affords a *prima facie* case in favour of things as they are, against things as they may be. And I am the more anxious to be clearly understood, and as it were, *in limine* upon this point, because it is one upon which the argument against reform has been most frequently and most successfully misrepresented. It has been a very common accusation against us to say that we are actuated almost entirely by one great leading principle, the dread of innovation, a principle, in the extent in which it has been stated, most absurd, and which the friends to the measure have accordingly been at great pains to ridicule and to refute. Now, Sir, though I by no means deny that there are persons who do entertain this general dislike to every species of change, and who must of course concur with us in opposing so great a change as Parliamentary Reform, and though I am no more disposed to reject their aid than the moderate reformers appear disposed to reject the aid of those that carry their views upon this subject to the most alarming extent; yet I must beg leave to insist that this is no doctrine of mine, nor one of which we stand at all in need as the foundation of our argument. In almost all those principles that have been so frequently and so triumphantly stated in defence of innovation I completely concur. I am perfectly aware that whatever is institution now, was innovation once, and therefore that to object generally to innovation is to object to art, to science, to law, to every thing that has dignified, and to every thing that has adorned mankind, and not least of all to that very constitution which I am most anxious to uphold. All I would ask is, not that innovation should be considered as an evil in itself, but merely that it should not be considered as a good in itself; that before we adopt any change we should reflect calmly and dispassionately what is the real amount of the evil which it is designed to remove, and in the next place how far it is calculated to remove it without substituting some greater evil in its stead. So far I trust I shall carry along with me the opinion of all sound judging men, and that without being considered as an alarmist or a bigoted and indiscriminate enemy to every species of change, I may be allowed to consider the actual prosperity of the country, (so far as it goes) not indeed as a conclusive argument against reform, but as a circumstance which, so far as it goes, renders the necessity of that measure less urgent, and the advantages of it more questionable.

Before, however, I quit the subject of innovation, I must beg gentlemen to bear in mind, and it is a consideration most material in forming a correct opinion upon this great question of reform, that whatever may be the result of the experiment we are called upon to make, be it good or be it bad, it is in its nature final. If when this fundamental change in the government of the country has been adopted, instead of its being attended by those beneficial and splendid consequences which the promoters of it now so confidently anticipate, we should discover upon actual trial, that the share, both of freedom and happiness, which we had enjoyed under the old, rotten, corrupt constitution of England, was greater than any that we had been able to realize under the newer and purer system, still, however much we might wish it, and however bitterly we might repent of our folly and precipitation, still we should seek in vain to re-establish the ancient order of things, and we might wait through whole ages of turbulence and calamity till a combination of circumstances, too fortunate perhaps to occur twice in the history of any nation, should have restored us to those speculative defects, which afford matter for the invectives of mistaken, factious, and visionary men, and to those practical advantages which diffuse happiness over millions. They call upon us, Sir, to put off from shore in search of what they tell us is a more genial climate and a more fertile soil, but if we do so, let us at least not forget, that it is under this inexorable condition, that we shall never return, even if upon our arrival we find that this promised land of theirs is cursed with irremediable barrenness, and perpetual storms. Therefore, if there is any person, I will not say, who thinks that this experiment will fail, but who doubts of its success, and who, doubting of its success, is not of opinion that any failure is preferable to a longer endurance of the present evils, upon him I think I may fairly call to give his most strenuous opposition to these projects.

But, Sir, fortunate as our situation undoubtedly is in itself, and still more fortunate when compared with that of other countries, still it must be confessed, nor do I at all disguise from myself in the consideration of this question, that there are circumstances in that situation which are calculated to excite anxiety and alarm. Persons may differ in their estimate of grievances and dangers, but that grievances and danger do exist, it is impossible to deny, and it is therefore for us to consider, how far that change in the government of the country which is now proposed, is calculated to afford to us ease and security.

Sir, the great evil, as I apprehend, and that which is the root of all the present discontents, is excessive taxation, which taxation has arisen from the war. Now, Sir, I happen to be one of those who think that the war was undertaken originally upon insufficient grounds, and that many opportunities have been lost at which it might have been terminated without danger or disgrace; and I have always regarded the continuance of it (up to a very late period) as the capital mistake of every cabinet by which this country has been governed for the last eighteen or nineteen years. But, Sir, I am utterly at a loss to understand, how the war could have been prevented by a change in the constitution of parliament. That, indeed, might have been said with truth, if it had been begun and continued by the executive government, in conjunction with this House, and against the will of the nation. But, Sir, be it right, or be it wrong, a question which this is not the proper occasion to discuss, this war always has been, and still is, the war of the people. For the truth of this assertion, I need only appeal to my hon. friend near me, (Mr. Whitbread) who has long, consistently, and, as I think, wisely, but always most unsuccessfully, opposed it. And when I say that he has been unsuccessful, I do not merely mean that he has failed to convince a majority of this House, but that he has failed equally to convince a majority of the people. From them he has received neither gratitude, nor support; and sure I am, that whatever popularity a long, able, and upright parliamentary career may have acquired to my hon. friend on other accounts, no part of it is due to his efforts to put an end to a contest, which, in spite of all the disasters it has brought upon us, has always found advocates in the pride and prejudices of this wealthy, ambitious, and warlike nation.

But then, Sir, it has been said, that though national ambition would still occasion wars, those wars might be managed with greater regard to economy, and that infinite waste and profusion which now prevail in every department, might be prevented by the vigilance of representatives whose interests were more closely united with those of the people. And this, Sir, is the opinion which most deserves consideration, since it is undoubtedly to it, right or wrong, that the cause of Parliamentary Reform now owes the greater number of its proselytes. For some years past, the subject of pecuniary abuses has become so popular, that it has almost entirely overwhelmed every other consideration. The great question of peace and war; those questions that arise out of the management of the war, those that relate to the character and conduct of ministers, all these things have in a manner lost their interest, whilst the public mind has been absorbed in economical details. When more millions were wasted in one year upon the most absurd and most disastrous enterprizes, than all the plans of economy that human ingenuity can devise, or human integrity can execute, could save in ten, the people of England comforted themselves in the hope of reducing the petty perquisites of a few miserable offices; and they looked with cold-blooded indifference upon the loss of whole armies sacrificed to the incapacity of their government, a few months after they had been employed in canonizing the authors of discoveries about female influence in the disposal of a commission.

It is evident that the utterly disproportionate share of attention which the objects have occupied, that this low and inadequate state of the public mind is owing to the grossest and most malignant misrepresentation, both as to the amount of abuses and as to their cause. Persons have not been wanting ill-informed enough or ill-intentioned enough to tell the people that a great part of the burthens under which they labour are the result of peculation; and yet when the authors of all these clamours have been put to the proof, all they have been able to produce has been vague declamation, unwarranted suspicion, and the repeated enumeration of the few instances which the most vigilant attention has been able to detect. That abuses do exist I am far from meaning to deny, indeed it would be absurd to suppose that a revenue so vast as ours, raised by such complicated means, and expended upon such complicated objects, is not liable to fraud both in its collection and in its disbursement, or that the public income can be managed through all its branches better than any individual can manage a large private fortune, though stimulated by motives of personal interest, and enjoying over his property and his agents that permanent controul which is so material in forming and in perfecting economical arrangements, but which, for reasons better than any that can arise out of mere economy, the ministers of a free country neither can nor ought to possess. How far peculation may extend, I do not pretend to be accurately informed, but I am yet to learn the reason for supposing that it has reached to such a height as to call for a change in the government of the country; or even for thinking that parliament as it is now constituted is not fully capable, I will not say of extinguishing it utterly, but of reducing it to its minimum.

But, Sir, this subject of abuses adapts itself so admirably to the understandings and feelings of those to whom it is addressed, and to the particular circumstances of the times, that it is impossible to flatter oneself that it would not produce a considerable effect. On the one hand, people labouring under great and increasing burthens, are very apt to give credit to any body that promises them speedy and certain relief; on the other, it was quite natural that the reformers should be desirous to see some share of the popularity belonging to this question reflected upon their own favourite topic, and to connect together, in the estimation of the public, the subject of economical reform, with that totally different species of reform which consists in a fundamental change in the constitution of this country; for if they could once persuade the people, in the first place, that they are suffering neither from the consequences of their own pride and folly, nor from the pressure of external causes obviously out of the controul of any change in the external administration and government of the country, but from the corrupt management of the revenue; and if, having persuaded them of this, they could in the next place convince them, that the corruption itself was owing to the defects in the representation, their cause was evidently gained. But I apprehend that they have not only very much exaggerated the evil, but that they have totally mistaken the remedy. For Sir, I would fain ask in what way is parliamentary reform likely to occasion any improvement in the financial administrations of the country? Would it ensure greater integrity in the immediate and confidential servants of the crown? No person, I am sure, that is at all acquainted with the subject will maintain that it would, or even that it could, produce any such effect. For I will venture to say that there never was any age or country in which the higher class of public men was more completely pure from the stain of corruption than in this. And this is no trifling advantage which we enjoy under the present system, bad as it may be, that though the government of the country may fall, and, as I think, has often fallen into the hands of persons on other accounts utterly unfit for so great a task, yet through every change of party, and under every combination of circumstances, it has always remained inaccessible, except to spotless and unsuspected integrity.

But then, Sir, might not the House itself be more vigilant, and do more to guard the public against the depredations of persons in subordinate stations? I know very well, that for some years past, it has been very much the fashion among a certain description of politicians, to represent parliament either as conniving at abuses, or at least as taking no effectual steps in order to remove them. Now, Sir, I apprehend the fact to be, that parliament has completely gone along with the improvement that has taken place in the public feeling upon this subject. It requires very little knowledge of our history in order to be convinced that there never was a period during which parliament has laboured more diligently or more successfully in order to extinguish, not only abuses, but every species of unnecessary expence, as during the last thirty years. I need not mention Mr. Burke's Bill, the many reforms introduced during the administration of Mr. Pitt, the labours of the committee in which you, Sir, took so distinguished a share, the various parliamentary commissions, and more lately the committee of finance. And then, Sir, let us compare these with what have been sometimes called good days—with the time of king William and queen Anne, and we shall see such a scene of profligacy in the members of this House, and of corruption in those that had the management of the public money, as will make all the most notorious delinquencies that have been detected of late years, appear only in the light of venial transgressions. Now it is worthy of remark, in the first place, that all these things happened in the time of triennial parliaments, a very favourite nostrum with some of those who call themselves moderate reformers; and in the next place, that all this corruption and venality never appears to have suggested the idea of parliamentary reform to any of the great men of that age—and no age ever produced greater men, or warmer and more enlightened friends to liberty—all this infamy, I say, transacted before their eyes, never seems to have suggested to them the idea of having recourse to such a remedy as a change in the very frame and constitution of parliament itself. And it must be confessed that the lot of parliament would be very singular, not to say a little hard, if after having passed unhurt through times of comparative profligacy and corruption, it should be destroyed at the end of a period through which it has gone in a continually accelerating pace towards the extinction of abuses, if it should at last be overwhelmed by the public indignation, and declared to have filled up the measure of its iniquity; at a moment when it is undoubtedly far purer in itself, and a far more faithful guardian of the public purse, than it was in those days when it was not only unassailed by any domestic enemy, but regarded with envy and admiration by all Europe, as the most splendid model of a popular assembly the world had ever seen.

Is it ability? is it disposition? is it the means of enquiry that are wanting in the present House of Commons? None of these, as I apprehend. The House contains a large proportion of acute and vigilant persons, whose eyes are constantly directed towards this object; no minister dares refuse, even if he is disposed to do so, of which I am very far from suspecting the right hon. gentleman opposite me, no minister dares refuse information in those instances where his consent is necessary in order to obtain it; and any discovery, or feasible plan of retrenchment, is sure to be immediately attended by such a share of importance and popularity to the discoverer, as ensures a proper degree of attention to an object which so well rewards the promoters of it. In one very material point, I will venture to say, that this House is very superior to any reformed House—that is, in ability to carry plans of retrenchment into effect. Whatever merits any schemes for Parliamentary Reform that I have seen may have in other respects, and however much they may differ from each other, they all agree in this; that they have a tendency to diminish the number of men of business in the House; of men, who, from their education and habits, are likely to bring to the investigation of financial questions, that skill and attention which, more perhaps than almost any other subject, they require.

On the whole, there cannot be a more absurd, or a more pernicious opinion, or one which it is more the duty of every real friend to his country to combat, than that it is possible, so long as the present war lasts, to make any perceptible reduction in our expences, or to relieve the people from any part of their burthens. Reformed, or unreformed, we must continue to make enormous sacrifices in order to maintain that awful struggle in which we are engaged; fortunate, indeed, if we do not increase to an intolerable degree those evils which the present course of external events seems to be preparing for us, by our own internal dissentions, and by tampering with that order of things, under which, in the undisturbed enjoyment of domestic tranquillity and happiness, we have been enabled to make efforts unequalled even by the convulsive energy of revolutionary warfare, and to bear up against difficulties, untried, nay, unthought of by our forefathers.

Sir, the next great evil under which, as I conceive, we labour; an evil connected with, and arising out of the other, is the enormous influence of the crown. And undoubtedly, those persons who, agreeing with the right hon. gentleman opposite me (Mr. Rose), think that this influence, far from having exceeded its proper bounds, is only just sufficient to carry on the government, argue the question of Reform to much greater advantage than those who, still unconvinced by his pamphlet, think that it has reached to a height which may give reasonable ground of jealousy even to the firmest friend to the monarchical part of our constitution. To that class I must fairly own that I belong, and, putting all other considerations out of the question, I think I may safely appeal to the very existence of the present administration. Good luck might sustain a weak government, or a combination of great and splendid abilities might atone in the eyes of the public for the want of success; but a ministry at once feeble and unfortunate could only be sustained by such an exertion of power in the crown as would have been utterly impossible at any former period since the Revolution. This is the great grievance of which we have to complain, though at the same time, it must be remarked, that it is the grievance under which the more violent reformers acquiesce the most patiently. The reason is obvious; The formation of a vigorous and reputable government would be the most fatal blow that could be struck against their designs. These gentlemen well know that the weakness of government is not felt merely in the miserable mismanagement of our affairs, foreign and domestic; in the expedition against Walcheren; and in the expedition against the hon. baronet; but that its consequences extend much further. They are well aware that it destroys the respect that is due to high station, weakens that part of authority, (and no inconsiderable part it is in a well-regulated state) which resides in opinion, and lowers all government whatever in the eyes of the people. But, Sir, though I perceive the full extent of this evil, though I acknowledge that this influence exists, and though our attention to its existence has been most powerfully drawn of late years by the manner in which it has been abused, yet I see nothing in all this that should incline me to Parliamentary Reform.

If, indeed, the influence of the crown consisted entirely in the disposal of certain offices held by members of this House and their connections, a Reform in Parliament (or even a Place Bill) would prove a very effectual check to the evil, as the House would then have more to fear from the resentment of the people than it would have to hope from the favour of the crown. But unfortunately this influence is so extensive that it reaches not only to the House but to the people itself, and acts quite as powerfully upon the constituent as upon the representative body. Our establishments are so enormous, and such a vast proportion of the whole population of the country eat the King's bread, that there is hardly any educated person that may not hope either directly, or through his connections, to become an object of royal favour. It is quite natural that people in this situation should be desirous that some share of the political power which the constitution enables them to delegate, should be exercised to their own advantage; I do not mean to their own advantage on any liberal extended scale of public utility, but to their own private benefit, emolument, and promotion. The real wish of their hearts is, not for an able independent representative, but for an active useful agent, some person that may represent them not merely within the walls of this House, but at the door of the Treasury; a channel through which some rivulet from the great stream of patronage may be drawn to fertilize their own native spot. The only bad votes, in their view of the case, are those that disqualify the voter from becoming a successful suitor to those in power when any revenue officers are created, when an incumbent drops off, or when a son is to be provided for in the civil or military service of the honourable Company. They care mighty little for the distant result of wise measures and free government, when set in opposition to immediate tangible benefit to themselves and to those in whom they take an interest. Patriotism, they think, is no bad thing, and they have heard something about the necessity of watching and even opposing the ministers of the crown. But these advantages, like all others, may be paid for too dear, and cannot be much regarded by those who look to the favour of the government to assist in providing for their families. They have no natural preference to a weak administration or a bad measure, but they had ten times rather the administration should be supported, and the measure justified by a majority of this House, than that the course of jobbing should be interrupted for a single day. An elector looks much less to the vote of his representative, than to the good things he has obtained, or is likely to obtain for himself or his neighbours, and for the purposes of a sure re-election, a morning well employed in Downing-street, is worth many an evening spent in this House.

To hear the language of many persons upon this subject, one would really imagine that in all those instances in which the decision of this House had appeared most questionable, the majority had consisted entirely of the nominees of peers, and members for rotten boroughs overpowering by a dead weight of profligate votes a virtuous minority of county members and representatives of large towns. Now, Sir, every body must know that this neither is the fact, nor any thing approaching to the fact. If for instance I might without irregularity arraign any vote of this House, it would undoubtedly be that which was given in vindication of the expedition to Walcheren. And yet even from the result of that memorable division no inference whatever can be drawn as to the question of Reform. Quite as many of the real representatives of the people voted for the minister as against him, nor do I see any reason to suppose that if parliament had been dissolved the next day, any gentleman would have found reason to repent of the support which he had given to those persons, who in spite of all the disgrace and all the calamities they had brought upon the country, still enjoyed the favour, and still dispensed the patronage of the crown.

And so long as that patronage remains undiminished, so long this evil will remain without a remedy. Indeed I cannot help thinking, though I am well aware how uncertain all predictions must necessarily be as to great political changes—I cannot help thinking, that, as things now are, a Reform in Parliament would be more likely to increase than to diminish the influence of the crown. By stripping the aristocracy of their boroughs, it would very much diminish their weight in the scale—It would diminish a power which has hitherto been, and which still is, the great, steady, effectual counterpoise to the influence of the crown—a power which, according to the vulgar theory of the constitution, they ought to exercise only within their own walls, but which, according to a practice coeval probably with the very existence of parliament, and which may be most clearly traced through the happiest and most brilliant periods of our history, they have, with the most salutary effects, exercised by what are invidiously called their nominees in this. Indeed I do not see how any person can consider the present state of the country, and call to mind from what quarter it is, that all substantial opposition to the will of the crown has for many years past proceeded, without being persuaded that the best chance we have of resisting its encroachments, is afforded to us by the preservation of a large share of political power in the hands of those persons, who from their wealth, their dignity, and a certain hereditary attachment to the principles of free government, are less liable to those daily increasing temptations, which have already proved too strong for the great mass of less considerable individuals.

Parliamentary Reform, then, would not relieve the country from either of the great evils under which it labours. And here perhaps the argument might fairly rest, since no man is so zealous an innovator as to think, that we ought to have recourse to any great change without a prospect of effecting some essential good.

But then I maintain that when we have stated this, we have stated only the least considerable part of our case, and that there is the strongest reason for believing not merely that Reform is incapable of producing any good, but that it would give birth to great and irremediable evils.

Among the greatest evils arising from Parliamentary Reform, I do not hesitate to class the immediate effect it would give to the will of the people upon the votes of this House, and consequently upon the decisions of the legislature, and upon the measures of the government. For the reasons I have already stated, I am inclined to think that the crown, in the present state of patronage, would find as little difficulty in managing a reformed as an unreformed parliament—that is, in the ordinary course of measures which would be much less accurately discussed, and much less vigorously opposed than they are now. But then it must be recollected that occasions now and then occur, on which the people are very violent; and when they are very violent they are in general very wrong—occasions on which all other considerations give way to a momentary passion, and the great mass of society assume the character and feelings of a ferocious ignorant mob. They clamour for peace when peace would be disgraceful—they ask for war when war would be impolitic or unjust—or they desire to persecute some religious sect, the followers of which are filling the ranks of their army and navy. It is on occasions like these that we feel the advantage of having a House of Commons which speaks the sense of the people, not from day to day, but from period to period, which accommodates itself (as has been well said) to the average, and not to the fluctuations of public opinion, which is the faithful portrait of the national character in its ordinary attitude of dignity, sedateness, and repose, not the mirror in which those transitory but disgusting forms are reflected, which it assumes when under the dominion of ignorance, prejudice, and passion. But it may be said, and, I believe, with truth, that these delusions never last long, and that however wrong it may be for a time, the public is sure to recover its senses at last. But in the mean time the evil may be done, and done irretrievably. We may have plunged into a disastrous contest, we may have made peace upon ignominious terms under the pressure of temporary difficulties, or we may have inconsiderately swept away some of our most valuable institutions. That the public opinion and wish ought ultimately to prevail I most readily admit—it is a doctrine that lies at the very foundation of all free government. But what I maintain is, that the House of Commons, as it is now constituted, expresses that opinion in a more eligible and a more authentic manner than it could be expressed by a reformed House. Indeed I would almost be content to give up the whole cause at once, if a single instance could be produced in which this assembly, corrupt as it may be, has ever acted for long together in contradiction to the will of the people of England. What the present composition of parliament enables us to do, is not to act in opposition to that wish, but to wait till it is clearly, strongly and finally expressed, to separate the real permanent sense of the people, from their hasty passing impressions, and to keep up that right of appeal from present passion to future judgment, which is necessary in order to preserve us from all the horrors and absurdities of democratical government.

In the next place, the project of Reform, if carried to any considerable extent, would completely put an end to that regular, systematic discussion of the measures of government, which, if all the notions we have entertained on the subject for the last hundred years and more, are not completely wrong, is essential to the well-being of the country, and forms an indispensable ingredient in our free constitution. This discussion is conducted, as we see, under great parliamentary leaders, that is, by persons who bestow all their time and the very best abilities on this object, and who, under the present system, are nearly certain of always obtaining a seat in this House. That certainty is in a manner essential to the formation of such characters; for what person—at least, what person of that description, would throw away his time and his talents in qualifying himself for a situation from which mere accident might exclude him through all the best part of his life. And yet one of the objects of any such Reform as would satisfy the petitioners, is to put an end to every thing like permanence and stability in the situation of a member of this House. As it is, no great party is ever so completely crushed by another as not to retain all its principal organs and spokesmen in this branch of the legislature, and not to remain as a watch and a check upon its opponents. If every election depended upon popular feeling, any party that was once fortunate enough to raise a successful cry against its opponents, might drive from within these walls every individual that was at once able and willing to discuss its measures, and reign undisturbed till a new election gave a new turn to affairs. At the time for instance, when the present ministry came into power, such, it must be confessed, was the effect of the right hon. gentleman's "No Popery" cry, that it would have been very difficult by method of popular election to secure the return of lord Howick. Still, was it just, nay, except in a moment of phrenzy and intoxication, was it the wish of the country, that at the end of a brilliant career of near twenty years, that distinguished statesman should be deprived of every opportunity of contributing to the deliberations of this assembly that wisdom and eloquence, which no man will deny him to possess. Mr. Windham too would probably have shared the same fate, and yet I would have ventured to ask his most determined political enemy, even before his death had mitigated all feelings of animosity in every liberal mind—whether it would have been creditable to the House, or useful to the country, that popular violence should exclude from these walls, the most accomplished gentleman of whom England could boast? It is one of the most important duties of a public man to oppose vulgar prejudices, and to stem the tide of popular opinion when flowing in a direction contrary to reason and justice—a duty which is already rendered sufficiently painful by the unavoidable discouragements of odium, calumny and misrepresentation that attend it. But if, in addition to all these, it is to be visited by a total exclusion from public life, small, I am afraid, indeed, will be the number of those endowed with the heroic courage and self devotion which the performance of it will then require. Human virtue is too feeble for such a task.

And this, Sir, leads me to mention the change in the description of persons composing this House—a change which, in my judgment, we ought rather to deprecate as an evil than to wish for as a blessing. If the Reform was carried to any great extent—which if it is once suffered to begin, it will undoubtedly be—the House would consist, almost exclusively, of men of great landed estate and their connections, who would sit for the counties; and of persons that had acquired influence in large towns by their wealth or their political activity—that is, of great proprietors, great merchants, and demagogues. No man could hope for a seat unless he was possessed of a large property of a particular kind, or unless he had been fortunate enough to ingratiate himself with some large body of people. So that a perpetual bounty would be held out to every species of turbulence and intrigue. Every candidate, except the few whose wealth ensured them influence independently of exertion, must go through a species of political probation. Where the court party was strongest, he must shew himself capable of becoming an useful agent in procuring ministerial favours—where the democratical influence prevailed, he must give proofs of civism. So that the whole country would exhibit a perpetual struggle who should go furthest in subserviency to the court, or in democratical violence: not that I am by any means an enemy to popular elections. I am perfectly aware that they are indispensably necessary in order to keep alive a spirit of discussion and of independence, and to preserve the public mind from languor and stagnation. But then it appears to me that we have them quite in sufficient numbers to answer all these purposes most completely. And I must confess that there is no evil that I should more dread than that state of morbid agitation which would be produced in the political body by bringing all the active enterprizing talents of the country into constant and immediate contact with the most powerful, turbulent, and self-willed part of the population—by teaching every man that the first, and the last, and in fact the only material step towards political reputation and power, was popularity, and, consequently, by raising the art of flattering and bribing the people, above all other arts. Sir, I hope I may be pardoned for saying that I do not see why the practice of this art ought to be made a necessary step in the education of every English statesman. No theory that I can form would lead me to such a conclusion; all experience, I am sure, is against it. If I look round this much reviled assembly, which in spite of all its defects, appears to me not inadequately to represent the wisdom and the property of the country, I see many persons, and those among its most conspicuous ornaments, who after an early life spent in liberal studies, in learned gether subversive of the constitution as it existed in what are universally confessed to have been the best of times. The substance of their objection (as I have already had occasion to remark) consists in this, that what are called the representatives of the people are in fact returned by a very small minority of the people. Now, Sir, I should beg to ask how this defect can be cured by any thing in the shape of moderate reform. To meet the wishes of these persons we must at once sweep away all our boroughs, we must burn all our charters, we must abolish all our franchises; and in place of this antiquated rubbish we must adopt a page or two of the American constitution. Short of this we shall do nothing to content them, the representation will still remain unadapted to the population, and their ground of complaint just as strong as ever. Such a reform as that proposed by my hon. friend will be received not only with dissatisfaction, but with scorn, and I, or any other person who is resolved to concede nothing, but to oppose every plan for a change in the representation, will stand better with the real reformers than the authors of what they will consider as a contemptible and illusory project. What then are we to do by acceding to this motion, and whom are we to oblige? We are to change the constitution of the country, under which it has enjoyed the greatest share of prosperity and glory ever enjoyed by men, in hopes of conciliating a class of persons who are either too feeble to make their voices heard amidst the more powerful cry for a radical reform, too little united among themselves to agree upon any common plan, or too lukewarm about their object to take the trouble of stating it in a separate form.

There cannot, I am persuaded, be a more fatal error than to concede points of this sort in the hope of pleasing the multitude. The discontented, though numerous, and powerful, more than in proportion to their numbers, from their zeal, their activity, and that proselytizing spirit which adds daily to their force, are still a minority of the people of this country. But nothing is so likely to convert that minority into a majority, as feeble, graceless concessions on our part, concessions by which we shall forsake the vantage ground on which we stand, by which we shall surrender our best weapons of defence, by which we shall increase the strength of our enemies, without at all abating their rancour. Sir, in every age, and in every country, those who have been entrusted with the power of the state, have had to contend with something which for the moment has been the favourite project of vain, ambitious, or mistaken men. In our days they have thought fit to aim at a vital part, and the constitution of parliament is what we have to defend, and what it will require our utmost efforts to secure. Indeed, the very nature and condition of man almost forbid one to expect, that blessings so great as those we enjoy under the existing order of things, should, for long together, be held without interruption, and without struggle. For that struggle, I trust, we are prepared; since, if I am not much deceived, it will be long, perilous, and doubtful. But, at least, let us have no paltry ineffectual compromise. Let us make our stand upon our immemorial usages, upon the wisdom of our ancestors, and far more, for there are persons to whom these things seem light, upon the practical benefits we have derived from the present system in times of singular difficulty and danger. This is our only chance either for dignity or safety; but if we come at last with our miserable canting confession, implied or expressed, that we, heretofore falsely and fraudulently denominating ourselves the Commons of England, are not the Commons of England, and that we are too weak and too corrupt to manage the affairs that have been entrusted to us, and that therefore we will allow ourselves to be reformed a little, and suffer the government to be brought something nearer the pure and perfect model of democracy that ought to exist in this House; they will rejoice at the principle we shall admit, but they will require, and justly require, that we should follow it up with much larger concessions; they will laugh at our moderate reform, and treat us with scorn for believing that, after having been so long kept out of their clear, and, by ourselves acknowledged rights, they will at last be satisfied by the restoration of a small and insignificant part of them. They will proceed, as indeed, to do them justice, they have openly and manfully declared, in their own way, and upon their own principles—principles, utterly incompatible with that order of things under which we have hitherto lived, and under which, I am not ashamed to say, I am still desirous to live. We may purchase a truce with these persons, but there can be no real peace, no substantial agreement between us. No concordat could be framed by which they can enter into our church, or we into theirs. Sooner or later the difference must break out, and the resistance must be made; and those which my hon. friend considers as timely concessions, and healing measures, are, in fact, only so many demonstrations of weakness and irresolution, which, though they may stagger the faith, and chill the zeal of the great body of the people who are still true to the constitution, will neither gain to us a single useful proselyte, nor retard our fate by a single hour.

Sir, I beg pardon for having detained the House so long, but I was anxious not to lose this opportunity of expressing my settled aversion to this and all similar measures. If for any thing that I have said I am thought less true to the principles of free government, or less attached to those with whom I have hitherto acted, it will be to me a matter of the most serious concern. I have always been, and still am a sincere and zealous friend to civil and religious freedom, and I have therefore been anxious that the conduct of affairs should be entrusted to persons resting upon some more solid and constitutional basis of power than mere court favour, and that some check should be given to the influence of the crown, so increased with our increasing establishments, and with these objects in view I have been naturally led to concur for the most part with those that opposed the ministers of the crown. But if these objects, the attainment of which I do not despair of under the existing order of things, are to be pursued by means of a change in the constitution of the country, if we are to put every thing at stake in order to remedy a partial grievance, why then, Sir, I can only say that "non hæc in fœdera veni," I have made no such engagement, I will embark in no such design, I will subscribe to none of these new articles of faith, borrowed from the Gallican Church to be added to our ancient creed. The "Borough System," as it is invidiously called, existed very nearly in its present form in what are justly considered as the best times. Perhaps the nature of liberty may be a great deal better understood now than it was by our ancestors, and it may be idle to appeal to the authority of statesmen who flourished a hundred years ago. For my own part, however, I am not ambitious to live and die under a better constitution than that which was bequeathed to us by those great men that brought about the Revolution of 1688. These men were neither ignorant of the foundation upon which their rights rested, nor timid or lukewarm in asserting them; they were men capable of proceeding to the boldest deeds upon the most enlightened principles, and who had not hesitated in defence of their civil and religious liberties, to hurl their sovereign from his throne and begin a new æra in the history of their country. And, yet, Sir when the authors and supporters of that measure had accomplished their object, when lord Halifax, and lord Somers, and lord Godolphin, and lord Sunderland, the Cavendishes, and the Russells, when all the great families, and all the most illustrious individuals who acted upon what were then called Whig principles, imagined vainly, (as it has been lately discovered) and foolishly imagined, that they had reared a fabric under which they and their posterity might live to happiness and to glory; the people of England were just as imperfectly represented in parliament as they are now. In those days, as well as in these, the elective franchise was vested in decayed towns, and in small corporations, and as far as it can be ascertained, as many persons owed their seats to individual influence as at the present moment, and yet no person appears so much as to have pretended that these anomalies were in their nature grievances, or that it was necessary to render the House of Commons a purely democratical assembly in order to preserve the liberties of the people.—Be it right or be it wrong, this doctrine is not of ancient date, as some persons idly pretend, and without the least colour of authority from history or tradition, but is the mere offspring of the age in which we live. Whether or not it is to prevail, whether the present order of things draws to a close, or whether, notwithstanding some unfavourable appearances, the same good sense and good fortune which have conducted the people of England to that pinnacle of prosperity on which they now stand, will be sufficient to avert their minds from these delusive phantoms of imaginary happiness and unattainable perfection, I am as yet unable to foresee; I am willing to hope for the best, but there are symptoms in the public mind and in the conduct of some of our most eminent public men that make me tremble for the worst.

Sir *F. Burdett* said, that he felt some burthen thrown upon him in replying to the very elaborate speech of the hon. gentleman, which was so well delivered, and so agreeably pronounced, in which the hon. gentleman had attempted to shew, that the House, as it now stood, was a real representation of the people of this country; and who, in doing so, had used arguments not only in opposition to all the received points of our constitutional doctrine, but so wide and remote from them as to require no small share of ingenuity and eloquence to lend them even a plausible appearance. He should be obliged to shew, that the hon. gentleman was not more consistent with himself and his own arguments, than he had been with all the old recognized constitutional principles. He trusted as firmly as the hon. gentleman, that, by the constitution of the country, we might be enabled to hold, or rather to recover, the liberties of the country. But the arguments of the hon. gentleman were sometimes in complete contradiction to one another. At one time he contended, that the House did act in unison with the sentiments and feelings of the country, and therefore that the representation was a proper one. At another time he said, that if the House were returned in such a manner as really to represent the country, he should apprehend the greatest dangers from such a change in our system. If that were the case, he must conceive that the people were hostile to the interests of the country; and if so, would the hon. gentleman say that the House of Commons, in its present state, spoke the sense of the people? The hon. gentleman feared, that if the House of Commons were better constituted, and more truly represented the people of England, they would be liable to be shaken by every gust of popular opinion. He, for his part, would always stick up for the right which the constitution of this country gave to the people, of having their share in the government. If he were asked what their share was; he should answer directly, that the election of representatives in the House of Commons was the share of the government to which the people were entitled. Now the House had been told this night, for the first time, that those parts of the constitution which were hitherto considered the most unsound and rotten, were, in fact, those from which it derived the most advantages; and that it was the rotten boroughs that were to be considered as the soundest parts of the constitution. (Hear.) It was from the rotten boroughs, according to the hon. gentleman, that all the men of great information, talents, and so forth, got into parliament. If however, the House wished really to know what the state of the representation was, he would refer them to a Petition presented in 1793, the allegations of which were offered to be proved by evidence at their bar. That Petition stated, that the majority of that House was returned by twelve or thirteen thousand individuals, the greater part of whom had no property at all, and were not persons who ought to be even allowed to have votes for the election of members of parliament. If this was the real situation of the representation of this country, (and it had been offered to be proved that it was so,) he would say that he hardly knew any form of government that he would not prefer to it. He should rather that the crown was despotic at once, than it should be made despotic by this complicated machinery; which did not alter the despotic power of the crown, but made it much more expensive to the subject. He should prefer any sort of aristocracy to the sort of government he had described. Without looking to the statute book, or the ancient principles of our constitution, he would say that the modern authorities, (although imperfect interpreters of and commentators on that book and those principles) and particularly judge Blackstone, had laid down the right of the people to be fully and fairly represented, in such terms as would be hardly allowable now to use in the House. A right hon. gentleman (Mr. Elliot) who spoke early in the debate, appeared to consider, that to go very far back into the history of our constitution, for the purpose of altering its present practice, might be considered as great an innovation as any other. For his part, he would not allow that the Great Charter was an obsolete Act; but when he found in addition to that, the opinions of lord Coke and all the fundamental writers on the subject, and also statute after statute, saying, that taxes could not be legally raised but by the consent of the people represented in parliament, and that the elections should be free and fair,—when he saw all those authorities, ancient and modern, by the side of reason and common-sense, he must say, that it was the constitution to which the people of this country were entitled, that they should be fully, fairly, and freely represented in the

Commons House of Parliament, and that taxes could not be fairly levied but by the consent of the people, expressed by their real representatives. It was said, however, that it was so hard to strike out a proper plan of Reform, that no set of reformers could meet upon the subject without disagreements among themselves. If this were true, it proved nothing, for would it be said that any other set of men assembled to discuss any other subject, perfectly agreed in their opinions? When ministers met, for example, to consider what taxes were to be raised, could it be supposed their opinions exactly coincided? When they met to plan expeditions, however, it was well known there were differences. It was not only required of reformers that they must perfectly agree in their opinions, but that they should also be much better than other men, and absolutely faultless. Those on the other side of the question conceived themselves entitled to support all manner of corruptions, if they could but shew that the reformers were not perfectly agreed among themselves, or that they were not absolutely faultless. Montesquieu, and all those writers who had celebrated most the English constitution, conceived the chief beauty of it to be, that taxes could not be raised except by the free consent of the people in parliament. If the people, then, were not fairly represented in parliament, they had no opportunity of expressing what was or what was not done by their free consent. A right hon. gentleman, now no more, (Mr. Windham) who was possessed of great talents, but who had been one of the most powerful opposers of the cause of reform in parliament, never went to the length which the hon. gentleman (Mr. Ward) had gone to. He never defended rotten boroughs and corruption, as things good in themselves; but all his argument was, that the people were so thoroughly corrupted, from the top to the bottom, that he thought no plan which was proposed could be of any service. He had thought that there was no preventing the rich from giving bribes, or the poor from taking them; and that if ministers had not also this power, the wheels of government could not go on. Now to him it appeared, that corruption was nothing more than giving an unfair advantage to a part, to the prejudice of the whole; and that to give this undue advantage to one, there must be a robbery of twenty. He conceived that the people could not have more crying evils to complain of than the corruption of parliament and the corruption of the representation. Against such corruptions our ancestors often drew their swords. It was one of the serious charges made against Richard 2, that by rewards and menaces he contrived to influence or pack a parliament. He knew that it was always said on the other hand, that we now were getting on much better than our ancestors did; but it appeared to him, that unless there was a real representation in the country, there was no check at all to the executive power, which was much the same thing as having no constitution at all. Because he contended as much as was in his power, that the people ought to have their share in the government, was that a reason why he should be charged with mischievous intentions, by those whose pockets were filled with the public money? It was somewhat strange that the hon. gentleman (Mr. Ward) should have been almost constantly found in opposition to the measures of his Majesty's government, which he now all at once discovered to be in unison with the general feeling of the people. That hon. gentleman had also given his opinion, that the government was completely disgraced by the Walcheren expedition, but stated that this was not the opinion of the public at large. If this were the case, who ought to be the judges of the conduct of his Majesty's ministers? Was the hon. gentleman to be the sole judge, or should not the people be allowed to judge by their real representatives? He believed that the hon. gentleman was quite wrong in his idea of the public feeling upon this Walcheren question, and that there could hardly be found a man who could mention it without a sigh, or some expression of deep regret at the numbers of lives sacrificed on that occasion to no purpose. The hon. gentleman was right in saying, that there were many persons who would laugh at what was known in that House by the name of moderate reform. He (sir F. B.) was certainly one of those persons who would not be satisfied with what was generally called moderate reform, but who went the whole length of wishing to see the people possessed of that share in the government to which the constitution and the law entitled them. At the same time he was not one of those captious reformists that would take nothing, if they could not get every thing they wished for. Any measure whatsoever, which appeared to him a reformation of abuses, or an amelioration of the present state of the representation, however short such reform might come of his wishes, should always meet his most cordial support. In talking of the great men who had got into parliament from the unreformed state of the House, the hon. gentleman seemed to have forgotten the many great men who had written and spoken in the cause of Reform. He seemed to have forgotten that lord Hallifax had written in favour of Reform, and that sir William Jones had asserted the right of the people of England to annual parliaments and free elections. If the hon. gentleman had, however, lived in the time of the Reformation, he would, probably, have been a decided enemy to it; if he had lived at the time of the Revolution, he must, on his own principles, have opposed it; or if he had lived when the Septennial Act was passed, he must have opposed that as a dangerous innovation. This Septennial act was passed as most bad measures are, from temporary alarm. It was then stated, that there was a Popish party struggling for power, which, together with the expence of elections, was considered a sufficient reason for departing from the ancient constitution of the country. Would the hon. gentleman have opposed the Triennial Act, if he had lived in those times? The earl of Devonshire, however protested against it, as unconstitutional; and the hon. gentleman had professed a great admiration of the Cavendishes, and the Russels. When we came to modern times, it would be recollected, the great lord Chatham, Mr. Pitt, Mr. Fox, and many men most distinguished for talents, had strongly urged the absolute necessity of reform. He therefore conceived that both authority and reason were of the same side, and that the public good imperiously required it. The hon. gentleman seemed to say, that he would vote for reform in Scotland, if the people expressed a wish for it. Should not he, on his own principles, have only considered whether it was or was not for the public good, without considering whether there was a popular clamour raised or not? He had allowed that the amount of our expenditure was a grievance, and that the war was a grievance; but these were grievances not originating in the House of Commons. In this opinion he, however, totally differed from the hon. gentleman. He believed that the war, with its enormous expenditure, was a war of the House of Commons. He believed that that House had taken a weak alarm at certain opinions which they feared would make such progress in this country as to endanger the constitution. He was sure that this principle could never have made way, if the people were fairly elected, or if the protection of the country had been left to the armed property of it. He conceived that the armed property of the country would be a much stronger protection than a standing army. The government was said to be a government of King, Lords, and Commons. He did not know how it could be said to answer that description, if the Commons were not represented. Whom did the House of Commons represent at present? The members certainly very faithfully represented those who were their constituents. There was no man returned by a patron of a borough who would not be ashamed to vote contrary to his interests or the wishes of the person who sent him into parliament. He would therefore say, that most of them did faithfully represent those who actually sent them; but when they were to be considered (as was true in theory, but not in practice) the representatives of the people, then it was not surprizing that their votes should be in direct opposition to the wishes and feelings of the people. Thinking that any amelioration of the representation would be something gained for the general interests of the country, he should give his cordial support to the present motion.

Lord *Milton* could not help observing, that the hon. baronet was constantly in the habit of talking of the ancient and pure times of the constitution, and yet he never condescended to specify to what particular period he referred. But he had advised, as a part of his plan of reform, that the power of sending writs to new boroughs should be re-vested in the hands of the crown. This was one branch of the renovation which the hon. baronet recommended: but really he (lord M.) could hardly conceive any thing that would lead more directly to despotism, than the possession of such a power. With all due deference to the superior constitutional knowledge of his hon. friend who brought forward this motion, he must contend that nothing was more unfounded than to suppose, that originally only such boroughs as were large and opulent sent members to parliament. The fact was, that while some boroughs had declined, others had flourished and grown more important; and what he deduced from all this was, that the state of the borough representation was in point of independence what it had been at all periods of our history, and even at those which the hon. baronet had so often represented as pure and uncorrupt. The great advantage of the present system was, that there could be found no description of persons in the country who were not represented in that House. The landed interest, and the commercial interest, with all its various ramifications, had each their representation. Under the present system, the East and West India interests had their claims supported. They had their representatives, through whom they could speak. His hon. friend's plan went to disfranchise a number of boroughs, and increase the representatives for counties; but with all the partiality which he (lord M.) naturally felt for the landed interest, he should think it very unfortunate for the general prosperity, if no other existed in that House. It would seem to be the language of some gentlemen, that the House of Commons as now constituted, was nothing but a mass of corruption; or at least that such rottenness and unsoundness existed in parliament, as, if not lopped off, must entirely destroy the constitution. Now he should be glad to know in what particular part of the representation this rottenness was to be found. He liked to come to close quarters with these Reformers, for when they descended from general assertion to particular facts, they would be found to have little to say for themselves. What part of the representation, then, was rotten? We had members for counties, members for populous towns, and we had burgage tenures. (Hear, hear!) He understood what the cheering referred to; and, he would ask again, in what did the rottenness consist? Let the Reformers come and prove that corruption had been practised in a particular instance, and he would vote for disfranchising the borough. Had he sat in the House when the Cricklade and Aylesbury cases were decided, he should have voted for the abolishing of those boroughs. The present measure went to admit copyholders to vote for county members; and he would admit that many of that class were as independent as freeholders. The only reason why he refused this extension was, that the ancient constitution never gave the elective franchise to copyholders, and he was not aware that any new vivifying principle would be gained by their introduction. His objections to change were radical, and were founded on a conviction, that all measures of this sort did not go to reform, but to alter the constitution. It was said, that the decisions of the House of Commons were generally at variance with the voice of the people, and the Walcheren vote was appealed to as an instance. He verily believed that there was, on that occasion, a diversity of opinion between the House and the body of the people; but although the people at large blamed the Expedition, which had been screened from censure by the majority of the House, it did not follow, that they were in direct opposition to the opinion of the majority. The vote of the House implied more considerations than a mere disapproval of the Expedition, a formal vote of censure would probably have occasioned a change of ministers, and the people were not so unanimous on that subject as on the other. But even after all the alterations which might be made in the constitution of the House, he very much doubted whether on every occasion its votes would represent the opinion of the people at large. The question of shortening the duration of parliaments was a matter of regulation, not of radical alteration, and did not appear to him so objectionable, though he was not called upon at present to consider it. Upon the whole, he would conjure the House to abstain from touching with sacrilegious hands an institution that had been raised by the wisdom of their ancestors. To the parliament as now constituted,—to a parliament which comprised representatives for Old Sarum, for Helston and all the Cornish boroughs, as well as for counties, the country was indebted for the defence of its liberties against the arbitrary sway of Charles 1.; and it was a parliament similarly formed, which, after innumerable struggles, ultimately confirmed the liberties of the nation by the Bill of Rights.

Sir *Samuel Romilly* said this subject had been already so often discussed, that it was almost presumption for any person to imagine that he could throw any new light upon it. He confessed he was a little astonished at the manner in which the question had been discussed that night. A noble lord had expressed himself anxious to have an opportunity of coming to close quarters with the advocates for parliamentary reform, and to drive them up into a corner. Good God! did the noble lord really think it would be so easy to drive such men as Mr. Fox and Mr. Pitt into a corner? He for his part confessed that he had long felt the necessity of a parliamentary reform, for the sake of withstanding the influence of the crown; and every thing he had witnessed since he came into parliament, had served to strengthen him in that opinion. It was necessary, in his opinion, that something ought to be done; and it was more incumbent upon this parliament to do something than any former parliament, because they would not leave the constitution in the same state in which they found it. The Act of the 49th of the King, ostensibly to prevent the sale of seats, would materially increase the influence of the crown in the next parliament. It would give the crown a monopoly of all those places which were at present open to all parties. This was no doubt by no means contemplated by all of the majority who passed the Bill; but that the Bill would have this effect, no man who considered the matter fairly, and laid his hand on his heart, would venture to deny. He believed that the Bill had already produced its effect, and that many of the votes of the House might be now traced to it. An hon. friend of his had deprecated the choosing such a period of prosperity as the present for entering on parliamentary reform. This prosperity, he should think, was not so evident as his hon. friend seemed to suppose. A nation groaning under the weight of taxes, a distressed trade, and an excess of paper money, could hardly be said to be in a prosperous state. This argument had always been applied to every reform under every species of government. He remembered, that lord Clarendon stated the country never enjoyed such prosperity as in 1640, yet that was the period immediately antecedent to the civil wars, and when the country was suffering under taxes levied without authority, and under the most arbitrary decisions which ever disgraced courts of judicature. He thought copyholders having an equal security in their property with freeholders, were equally entitled to the right of voting.

Mr. *D. Giddy* was not inclined to offer many observations upon the motion, as it had been discussed much more eloquently than he could discuss it. The object of those who contended in support of the motion was to make the parliament a democratic one: but he would defy any of the gentlemen supporting the proposition to shew him that such a mode of representation would be better than a mixed form of government. He could sympathize as much as the hon. baronet could do with the situation of the people at present. But the proposed alteration would not benefit the constitution. Boroughs, and even close boroughs, he maintained, were coeval with the constitution, and he considered them as absolutely necessary to the safety of the constitution. In a country highly civilized, enjoying an immense wealth, and having a mixed form of government, it was absolutely necessary that the body which represented the people should be composed of the representatives of all the classes of men having an interest in the empire. It was impossible that an assembly, purely democratic, could exist with safety to such a country. Its measures would vacillate at every variation of popular opinion, however ill-founded; to use the expression of an hon. member, which he was not ashamed of repeating, "it would soon become the base pander of the basest passions of the people:" it could not co-exist with the other branches of the constitution, but must soon overwhelm them with irresistible fury, as had been the case in every other country. If assemblies of this description did exist, it must be at a distance from the metropolis, surrounded, and strictly guarded by an armed force, for they would most likely be apt to indulge opinions that the King was a cypher. The present state of representation was the very perfection of the constitution, and competent to all useful and necessary purposes. A democratical one would absorb the other branches. Could it be said, that Westminster would be worse represented, if it were less democratic? Conceiving that no practical benefit would be derived to the country from an alteration in the system of election, and that present concessions would only lead to fresh demands from the reformers, he should oppose the motion.

Mr. *Gooch* concurred with those who thought the question one of the most vital importance. If the proposition was acceded to, the result might be accompanied by total ruin to the country. He saw no good whatever that could arise from adopting it.—There never was a time in the annals of the country when a greater mass of honour, of integrity, and of talent were combined in that House. Notwithstanding what he had heard on various occasions, he must deny that the House and the people were at variance in opinion. At least, he could find nothing like it in his intercourse with his neighbours, the inhabitants of the county which he had the honour to represent. The hon. baronet might conceive himself a judge of the wishes and opinions of the people by those he was in the habit of meeting at the Crown and Anchor, and in Palace Yard. He (Mr. G.) must be allowed to form an opinion of his own constituents, who lived by the plough, who were not a set of men, who, like those at the Crown and Anchor Tavern, when other trades failed them, set about manufacturing speeches. His constituents did not wish for reform, and therefore he should vote against the motion.

Mr. *Whitbread* declared, that ever since he had a seat in that House, he had uniformly supported Parliamentary Reform, and his opinions had been more and more confirmed from what he had seen year after year. He was somewhat astonished that the hon. member for Suffolk, (Mr. Gooch) should presume the opinions of his neighbours in that county were to be looked upon as a more fair criterion of the general sentiments of the country, than those of the persons whom the hon. baronet meets in a place, where all the intelligence of the country was generally supposed to be assembled. An hon. gentleman who spoke on the other side, (Mr. Giddy) was a most strenuous advocate of things as they were. This was not extraordinary, considering the prejudices of his Cornish neighbours, and also how natural it was for him to sympathise in their feelings. In Cornwall alone there had been more corrupt sales of rotten boroughs than in all the rest of the kingdom; and, therefore it was not surprising that it should be the very nest of anti-reform. He regretted extremely that some of his hon. friends near him, and the noble lord, had expressed their total dislike of all Reform; and seemed to think themselves dishonoured and disgraced, if the voice of the people had an influence in that House. The arguments of the noble lord really went to treat the people as if they were nothing. That was their tendency; but the object of the Reform which he supported was, that that assembly should be both in body and spirit, the real representatives of the people. The present motion was not a desperate effort at improvement, which might endanger the very existence of the constitution. It was not an extravagant plan suggested by some wild reformer, but it had proceeded from the sagacious mind of his hon. friend, and it had been seconded by the lineal heir of the House of Russell. He was ready to acknowledge that these paltry boroughs had given to that House some of its most illustrious members: but what a difference of weight and influence was communicated to a member of parliament, by his being returned for a county or a respectable and populous city! Was it not the object of even Mr. Windham's ambition, on several occasions, to be returned for Norfolk and for Norwich? notwithstanding the contempt which he chose latterly to express for popular opinion? Did not the late first lord of the Admiralty feel and know the difference between representing a county, and being returned for a paltry borough in Cornwall? It was very hard that when any question was brought forward, accompanied with Petitions, it should be alleged that those Petitions had their origin in faction; and that when no Petitions were presented in favour of any question, then that the people did not care for it. The argument drawn from time also would he presumed be so drawn until time should be no more. His hon. friend had said, that Scotland was perfectly satisfied with its state of representation; and an hon. gentleman opposite had nodded assent, as if for the whole of that people. One thing, however, was certain, that ever since the Union, the forty-five members from that country had been almost unanimous in voting one way. The decision on the Catholic question furnished an irrefragable proof of the influence of the crown, and shewed that the crown had that great question completely in its own hands. Would any person maintain that if the power of the crown had been exerted in its favour, it would not have been carried by as decided a majority as the abolition of the Slave Trade after a struggle of 20 years, as soon as that measure was really taken up by ministers? This was a pregnant instance of the power of the crown. He had not a doubt, that on a dissection of the vote on the Catholic question, the truth would be found as he had stated.

The accomplishment of the production of the president Montesquieu, that the British constitution would be destroyed when the legislature should become more corrupt than the executive, there were a thousand reasons to believe approaching. Would the House recollect what the great lord Chatham had said, or what was said by Mr. Pitt thirty years ago? or what had been the declared opinion of Mr. Fox, and was also, he believed, the opinion of a right hon. gentleman (Mr. Sheridan) then absent; but who would, he was confident, if present, have been the warm advocate of this motion. Would they recollect the opinion of other living authorities? Most of the great men in the state had given a similar opinion. But now all who supported a Reform, were held up as demagogues and visionaries: and nothing was to be done, because they did not all agree in a plan, though an hon. baronet had shewn, with much solidity of argument, and much eloquence, that a much smaller body than the reformers could not agree in their measures, but evinced a discrepancy that occasioned strong ferments and violent ruptures among themselves,—he meant the cabinet itself. Last night the minister passed his panegyric upon his own administration, as the most virtuous and excellent that could be formed; a subject on which he should only refer to the statements of those who had been ministers with him, to determine who was right or wrong. Much was said of the introduction of unpatronised talent into the House, under the present system; but this system introduced not merely talents, but wealth of any sort wherever it could find a market for a seat. Last year a person advertised against hunting over a particular district; but it was well known that if a certain borough were compromised, the hunting was to go on as usual; and that was the way in which the dispute was terminated. Was that a fit thing to exist respecting the mode of returning members to parliament? On some occasions the people of England were called, and he believed justly so, a most thinking people; but when Reform was spoken of, they were only viewed as wild and giddy. His hon. friend said that lord Grey had been driven out of Northumberland by the cry of No Popery; but that was not the case. It was owing to the American Intercourse Act, which was strongly opposed in that House by a worthy alderman, and by the Master of the Rolls. It was represented, that lord Grey's object was to destroy, with all his might and main, the shipping interest of this country: yet that very Act, against which the present ministers then raised such an outcry, remained, and not even a motion to repeal it had ever been made. There was another great influence used, against which lord Grey might not deem it prudent, in a pecuniary view, to enter on a contest. That county had become again vacant, while rats were swimming in shoals from one side to the other, and the Chiltern hundreds flying about in due proportion. Launceston was vacated; but it would be impossible to believe that a certain noble House, so full of wealth and honours, could be swayed by inferior considerations. He was far, however, from disputing the propriety of the Regent's conferring the honour which occasioned a vacancy in Northumberland. But ministers were, under the present system, obliged to have recourse to shifts. It was sufficiently known that such things were matter of barter. When delegation to that House was objected to, why did not gentlemen recollect that so many were delegated by patrons who arranged their votes with the ministry? It became, then, a case of conscience with a delegate. "True," said he, "I am here as your member; but feeling a difference of opinion, I resign my seat back to you from whom I got it." This happened perpetually. It was a new æra. If it could be said of some of those gentlemen who had lately gone over to the opposite side of the House 'cælum, non animum mutant qui trans mare currunt,' he thought he might safely at least, say this much for himself, that he had never shrunk from the people, but had at the same time never sacrificed his own opinions. He had been told by an hon. friend, that many good things had been said of him by the people, but not on account of his desire for peace, which might be true; but if the people spoke of him with any favour, it could be only for his being consistent and unsuspected. It had been contended, that all the wars during the last century had been popular. This might be true, speaking of their commecement; but if the people had caused wars to begin, they had certainly caused them to end. False impressions respecting taxation made the American war popular at first, but it was persisted in long after it was unpopular, and after means of stopping it had been rejected, which led to the acceptance of infinitely worse terms; and such would most likely be the termination of the present war. The voice of the people might be heard at last; but it was heard too late. If the House were the just representatives of the people, they would change gradually, when the opinions of the people were against their conduct, and not be finally reduced to yield to clamour. Mr. Bankes's success respecting sinecures was owing to public opinion. The same was the case respecting the barracks. He had heard that some hon. gentlemen had voted the other night contrary to their opinions, on account of an intemperate speech, by an hon. baronet, a speech which, he was happy to find, the hon. baronet had taken the opportunity of explaining. But, because the hon. baronet had thought proper to make that speech, it appeared that these gentlemen had thought proper to fine the country 90,000*l.* It was not true that the rotten boroughs returned Mr. Fox in 1784, for he was returned for Westminster, and kept out for a time by a scrutiny which the House put an end to. He would appeal to the Cornish gentleman (Mr. D. Giddy) whether that seat of corruption, Cornwall, did not furnish more litigation than other counties. Of the four members for London, three voted in favour of the Walcheren expedition: one of them, he was told, stood the matter very well before his constituents, but the citizens might yet have an opportunity to express their opinion on that subject. More county members voted against ministers on that occasion than for them. The constitution originated in the people; with them it was vested; by them it had been exercised, or the Prince Regent would not then hold the reins of government. With them was the sovereignty of the empire: for them the throne was created. The people had a right to the democratical branch of the constitution, which had, from time to time, been invaded, not by prerogative, but by influence, which might soon be overwhelming. If some seats were not now in the power of a few independent men, the influence of the crown would controul every thing. In the present state of affairs, all depended on the people: they should be treated with conciliation, and with all attention to their wishes. If there were not petitions on the subject, it was well enough known what the people thought upon it. They might refuse to reform parliament; but in the end the people would be heard.

Mr. *Cartwright* thought that the House had sufficient democracy in its constitution, without reform. It represented, at present, property of all kinds.

Mr. *Ponsonby* declared that he had no objection to giving his vote in favour of the first Bill intended to be brought in by his hon. friend, that of extending the right of voting to copyholders; and as to the second Bill, he should equally support its being brought in, though he did not thereby mean to pledge himself to a support of it in its future progress. With regard to the general question of reform in parliament, no one was more sensible of the delicacy of the subject than he was; but at the same time it equally appeared to him, that no mode of attempting reformation could be more safe than by Bills. It was preferable to any sweeping measures, of which no one could anticipate the consequences. As to the necessity of reform, he would only say, that however excellent the constitution might be, no one would surely say it was so excellent and immaculate, or so sacred, that its abuses, when obvious, ought not to be removed.

Sir *J. Newport* said, that he had waited all the evening to hear a noble lord opposite (lord Castlereagh) deliver his sentiments in support of the motion. As, however, he had been disappointed, he would beg leave to read to the House the opinions of that noble lord upon a former occasion, when a similar subject was discussed in the Irish parliament. It was an historical document, and he had therefore a right to read it. On a motion of Mr. Grattan's, February 9, 1793, respecting a Reform in the representation of the Irish House of Commons, the noble lord, then the honourable Robert Stewart, "in an able speech, reprobated the little special pleading which had been used against the motion—a reformation in parliament he held to be necessary; the present system of representation he maintained was defective, and he advised ministers to meet the question fairly and freely; for a reform in parliament he would vote the money of his constituents, but he would not vote a shilling of it for the vices and follies of the government."

To do the noble lord justice, he preached his doctrines to an Irish parliament, who would not listen to them. He then took the rod into his own hands, and scourged the Irish into the measure of the Union. He gave the noble lord credit for what he had done, as he supposed that when he could not prevail on the Irish House of Parliament to reform itself, the noble lord thought he would gain his object by transplanting it into England; but, unfortunately for both countries, the plant lost its nurture on being removed. It was from the abuses of rotten boroughs the parliament of Ireland fell into contempt with the people of Ireland: and the same causes would produce the same effect in England.

Lord *Castlereagh* was not the least indisposed to adopt the sentiments which the hon. baronet had read as his, though the opinions of early life were not always to be held to the test of a strict consistency. If, however, the same cause existed now as did in 1793, he should still avow the same sentiments. He begged, however, to state, that he spoke in reference to the parliament of Ireland, which was certainly at that time constituted in a manner most inadequately as to all the purposes of representation. If, however, the hon. baronet concluded, therefore, that his opinions, as to a reform, applied equally to the English parliament, he begged leave to assure him that he was completely mistaken. In the English parliament he did not see the same necessity, he did not even see the expediency for Reform; and therefore he should certainly vote against the question. As to the Union, he denied, that he had been induced to promote that measure by any motives but those of the most patriotic nature.

Mr. *Martin* (of Galway), considered the Union to be of most essential benefit to both countries. He expressed surprise at what he had heard from the right hon. gentleman opposite (Mr. Ponsonby). From what that right hon. gentleman had formerly stated, it was to be expected that he would rather have opposed the motion. The borough interest had been most injurious to Ireland, and this had been principally in the right hon. gentleman's family, from whom it had been purchased at an expence of 60,000*l.*

Mr. *Ponsonby* had never said that the English constitution, excellent as it was, might not be improved, nor that abuses that might have crept into it ought not to be corrected. As to what the hon. gentleman had alleged of the injury done to Ireland by the borough system, and of 60,000*l.* having been paid to his family to wrest the borough interest from them, the fact was that he formerly had possessed but one borough, and it was not common to give 60,000*l.* for one borough in Ireland. He had always thought the question one of the greatest moment, and one which ought to be approached with the greatest delicacy.

General *Tarleton* observed, that being sent to that House by the voice of the people in the purest possible way, he had no idea of scrutinizing the votes by which other gentlemen were sent there: but the Walcheren Inquiry had opened his eyes, and he should vote for the motion.

The *Chancellor of the Exchequer* had never been present at a debate, in which he was less anxious to take a part, as the part which he should have been disposed to take had been sustained with such great ability by the right hon. gentleman, and the hon. gentleman opposite. He wished, however, to correct a misunderstanding and consequent misrepresentation of the hon. gentleman (Mr. Whitbread) who had described him as having been, on the preceding night, the panegyrist of his own administration, as having stated it to be the most vigorous and the most virtuous of administrations, and as having bestowed on it many other superlatives. He had been but in a very small degree the panegyrist of himself, as he only used any thing like the expressions imputed to him when comparing it with an administration, which he could assure the hon. gentleman he had never been in the habit of extolling so highly, as to make it appear any thing like a presumption of extrordinary merit, that the present administration possessed greater vigour or greater virtue. In thinking that nothing very extraordinary was necessary to equal or surpass that, he was not very singular in his opinion, and he believed the people themselves were rather turning that way. Of this the noble lord (lord Milton) had given him a little testimony, as he had admitted that with all the faults of the present feeble and unsuccessful administration, and with all the demerits of the Walcheren expedition attached to them, they were preferred to the last splendid and vigorous and successful and brilliant administration. But then it was said, that they were saved from a defeat on the Walcheren question, by the influence of the crown. He begged to say, that in that very session, and previous to that vote, that same House of Commons had refused to wait three days for information upon the subject: and so far were they from being under the influence of the crown, that ministers were accordingly out-voted on that question, and the House got the information they called for at that time, in opposition to the administration. But the genmen opposite, flushed with this advantage, went rather too far. They called for an inquiry into the Walcheren expedition, which opened the eyes of the House and of the public, and hence the vote which parliament afterwards came to was to be accounted for. An objection, however, was raised against the individuals who voted for government. He, however, had no objection to the lists of the majority and minority being dissected, if they could be procured. If this were done in order to leave none who were biassed by interest in favour of government, all the placemen would be at once struck off as a dead weight. But if they struck off from the list all who were in possession of places on the one side, he hoped they would not object to strike off all who were in expectation of places on the other. And they would give him leave to couple with this consideration a request that it might be remembered that a place could be possessed but by one, but it could be expected by more than one. Let them then take away those who possessed places on the one side, and who expected them on the other, and he would be perfectly willing to go to a division with the rest. It had been imputed to him as an offence, that he had kept in office after being in a minority, while it was contended that the influence of the crown was greater during his administration than it had been in any other. He contended that the fact of his having been in the minorities, was a proof that the influence of the crown had not increased in proportion to the increasing influence of property in the country. He denied the position that a minister ought to resign because he was left in a minority on some occasions, while his measures generally had the support of parliament. He concluded by expressing surprise that the vote of the right hon. gentleman opposite (Mr. Ponsonby) was to be given with all its weight to a question which the right hon. gentleman himself thought so delicate and dangerous.

The House divided, when the numbers were:—Ayes 88; Noes 215; Majority, 127.

HOUSE OF LORDS.

Monday, May 11.

Assassination of Mr. Perceval.] Their lordships had finished hearing counsel in an Appeal case, and were proceeding with the reading of some private bills, when a bustling noise, as of a number of people in confusion, was heard without doors. The business was interrupted, and a few moments of silence ensued in the House; all the Peers, of whom a considerable number had assembled, to proceed with the evidence on the Petitions against the Orders in Council, looking towards the doors. Presently a cry was heard, "Mr. Perceval is shot,—Mr. Perceval is shot." A gentleman, connected with one of the parliamentary offices, rushed in, in the utmost agitation and alarm. Most of the Peers came to the bar, and the officer mentioned was instantly surrounded both by their lordships and those without the bar, all making the most eager enquiries. The account he gave was, that he was standing close by Mr. Perceval in the lobby of the House of Commons, when a pistol was fired at Mr. Perceval, who staggered two or three paces, fell on his side, and then rolled on his face. The officer then came away; but he said, he believed that Mr. Perceval was dead.

No doubt could be now entertained as to Mr. Perceval having been shot at; but a gleam of hope still appeared, that he might only have been severely, not mortally, wounded.

Some of their lordships, upon the first mention of the circumstance, had rushed out to ascertain the fact: they were now followed by most of the rest, hardly any, except the Lord Chancellor and three of the Bishops, remaining behind. These continued their enquiries at the bar; but the person who brought the intelligence could state no additional circumstance.

The lords who had gone out at length began to return. The eyes of those who remained were rivetted on the countenance of him who first approached, and hope vanished. Their lordships crowded together near the woolsack, and continued for a few minutes in earnest private conversation: a call of "seats, seats," followed, and their lordships sat down.

The *Lord Chancellor* then addressed them: "I am not certain, my lords," (he said) "whether what I am now about to suggest is in exact conformity with the orders of your lordships' House; but there may be occasions when a rigid adherence to orders, established for the convenience of ordinary business, may lead to the greatest disorder. I have just been informed of a most melancholy and atrocious event, which has happened in the lobby of the other House. In this situation, I feel it my duty to apprise your lordships, that I shall take care to give the proper directions to the officers, that none go out of the doors of this House of Parliament till we have been fully satisfied that they have not the means of doing farther mischief."—This was understood to have reference to a determination, that those below the bar should be searched by the officers as they went out, in order to ascertain whether they had fire arms: but this precaution was afterwards considered as unnecessary, and the resolution was not persevered in.

Their lordships continued their private conversation near the woolsack, while some went out and others returned at intervals. The fact of Mr. Perceval's death now appeared certain; and the question, what proceeding it was fitting for the House to adopt under the circumstances, was next to be considered. Some mention was made of a Message to the House of Commons. It was then stated that the Commons had adjourned; and it was suggested that this might be the most proper course for their lordships.

Previous to adjourning, however, it was agreed on all hands that it would be proper to address his royal highness the Prince Regent, to express the sentiments of the House on the melancholy and horrid occurrence. No one doubted the fact of the assassination; but to found upon it such a proceeding as that of an Address, it was necessary to have it established in a formal manner. There was some doubt as to the mode in which this should be done. At length there was a second call of " seats, seats," and their lordships resumed their seats on the benches.

The Duke of *Cumberland* then rose, and said:—" Having seen the right hon. Spencer Perceval wounded and dead, I think it my duty to communicate this fact to your lordships, that you may take such measures upon it as to your lordships shall seem proper."

Lord *Ellenborough.* " Where did the noble duke see this?"

The Duke of *Cumberland.* " I saw Mr. Perceval lying dead in a chair in the Speaker's chamber, with a surgeon and several other persons standing around him."

Lord *Ellenborough.* " We still have no evidence how Mr. Perceval came by his death,—whether by fire arms, or in what other manner. All we know from this is, that he is dead, in the Speaker's chamber."

The Earl of *Liverpool* suggested, that the declaration of one of their lordships upon his honour as to his belief of the fact, might be sufficient ground for the Address; but after a few words from lord Holland, it was agreed to call witnesses to the bar, and the bar was immediately cleared for that purpose.

Mr. Taylor, one of the door-keepers of the House of Commons, was then called to the bar, and examined by the Lord Chancellor, who had left the woolsack, and taken his seat at the committee table.

Q. What is your name?—*A.* Taylor.

You are an officer belonging to the House of Commons, are you not?—I am, my lord.

What do you know in relation to Mr. Perceval: state what you know to the House?—My lords, I saw Mr. Perceval in the lobby of the House of Commons: I saw a pistol aimed at him, and at the same instant I saw the fire; and immediately after I saw Mr. Perceval fall.

Did you hear the report of the pistol?—I did.

Did Mr. Perceval fall immediately after?—He did, my lord.

Mr. Taylor's evidence being so directly to the point, their lordships did not think it necessary to examine any more witnesses. The Lord Chancellor again took his seat on the woolsack, and

The Earl of *Radnor* moved, " That an humble Address be presented to his royal highness the Prince Regent, stating, that the House had heard with horror of the attack made upon, and the assassination of the right hon. Spencer Perceval, one of his Majesty's most honourable privy council, and praying that his Royal Highness would be graciously pleased to direct such steps to be taken as he should deem expedient for the apprehension of the offender or offenders."

Earl *Grey* said, he merely rose to state, that he entirely agreed, or if he could say so, that he more than entirely agreed, in the proposition moved by the noble earl, which had his most cordial concurrence.

The motion was agreed to *nem. diss.*

It was then ordered, that the Address be presented forthwith by lords specially appointed for the purpose, and the earl of Radnor, earl Grey, lord Holland, lord Mulgrave, and other lords, were appointed to go up with the Address forthwith.

The House then adjourned till to-morrow at two o'clock.

HOUSE OF COMMONS.

Monday, May 11.

PETITION OF JOURNEYMEN POTTERS

AGAINST THE ORDERS IN COUNCIL.] Lord G. L. Gower presented a Petition from the journeymen potters and others employed in the manufacture of china and earthenware in the Staffordshire potteries; setting forth,

"That, previous to the issuing of the Orders in Council, the increasing demand for these manufactures for the American market, enabled the petitioners to provide a comfortable subsistence for their families; and that, since the suspension of all commercial intercourse with the United States of America, the business of the petitioners has gradually declined, a considerable proportion of hands are now out of employ, and dependent for subsistence on parochial relief, and great numbers of those, who are at present employed, are restricted in the amount of their weekly wages, so as to be unable to support themselves and families; and praying for relief."

Ordered to lie upon the table.

COMMITTEE ON THE ORDERS IN COUNCIL.] Mr. *Brougham* moved the order of the day for going into a committee on the Orders in Council. The House then went into a committee, Mr. Babington in the chair. The first witness called was Mr. Robert Hamilton, manufacturer of earthenware in Staffordshire—

ASSASSINATION OF MR. PERCEVAL.] Mr. Brougham had closed his examination of Mr. Hamilton, and Mr. Stephen was in the course of his cross-examination of the same witness, when at about a quarter past five o'clock the report of a pistol shot was heard in the House and Gallery; it did not at first interrupt the business of the House—a rush was heard between the door and the bar, and cries of Order. It was immediately discovered that Mr. Perceval, on entering the lobby of the House, was shot by a person of the name of Bellingham, who had placed himself for that purpose at the side of the door leading from the stone staircase. Mr. Perceval, immediately on receiving the ball, which entered the left breast, staggered and fell at the feet of Mr. William Smith, who was standing near the second pillar. He was instantly taken up by Mr. Smith, who did not recognize him until he had looked in his face. The report of the pistol immediately drew great numbers to the spot, who assisted Mr. Smith in conveying the body into the Speaker's apartments, but before he reached them, all signs of life had departed. Mr. Perceval's corpse was placed upon a bed, and Mr. Lynn, of Great George street, who had been sent for, arrived, but too late even to witness the last symptoms of expiring existence. He found that the ball, which was of an unusually large size, had penetrated the heart near its centre, and had passed completely through it. From thence the body was removed to the Speaker's drawing room, by Mr. Lynn and several members, and it was laid on a sopha.

The horror and dismay occasioned by the Assassination of Mr. Perceval prevented any attention from being paid to other persons, and it was not until the right honourable gentleman was raised from the floor that a person belonging to the Vote Office exclaimed, "Where is the villain that fired?" when a person of the name of Bellingham, who had been unobserved, stepped up to him and coolly observed, "I am the unfortunate man." He did not make any attempt to escape, but resigned himself quietly into the hands of some of the by-standers. They placed him upon a bench near the fire-place, where they kept him, and all the doors were closed, and the egress of any persons prevented. When the assassin was interrogated as to his motive for this dreadful act, he replied, "My name isBellingham; it is a private injury—I know what I have done—it was a denial of justice on the part of government." At this time the prisoner was in no legal custody, but was surrounded by many members, who insisted that he should be taken into the body of the House. The criminal was however previously searched, to which he made no resistance, and upon his person were found a steel pistol, loaded, about seven inches in length (the fellow to that with which he had effected his fatal purpose, which had been secured) with a short screw barrel, and a bundle of papers folded like letters. Two messengers, Wright and Skelton, then conveyed the prisoner to the bar of the House of Commons, where the utmost confusion and anxiety prevailed. The Speaker had quitted the chair, the House having resolved itself into the committee on the Orders in Council, but on hearing the afflicting intelligence, he returned and resumed his seat. Order having been restored, general Gascoyne said in an audible voice, "I think I know the villain," and walking up to the assassin, and looking in his face, enquired, "Is not your name Bellingham ?" He returned no answer, but by shaking his head, and stood afterwards motionless, and apparently composed, resting his hands upon the bar, and looking directly forwards to the chair.

The *Speaker* then proposed in a firm voice, that the criminal should be conveyed to the prison-room, and that a magistrate should be sent for to receive the examination of the witnesses of the shocking transaction. He also stated, that in order that the prisoner might be less able to attempt an escape, or a rescue be effected by accomplices, it would be fit that he should be conducted to the place of confinement, not through the lobby where the murder had been perpetrated, but through the private avenues round the House.

This proposal was highly approved, and the Speaker further said, that it might render the detention of the criminal more secure if members would precede, in order to see that all the passages were clear. A great many gentlemen immediately rose to comply with the request, when

Mr. *Whitbread*, in a tone of voice which betrayed the difficulty he felt in commanding his feelings, observed, that to prevent confusion it would be better if those members who should go before for the purpose of seeing that the passages were clear were named from the chair, otherwise the eagerness of all to fulfil the undertaking might prevent its due execution.

The *Speaker* added, that it would be right that the utmost precaution should be used, not only lest the criminal should injure others, but should attempt violence on himself. He then named Mr. Whitbread, Mr. Long, and Mr. Bootle, who directly left the House to clear the avenues to the prison-room. The assistance of several other messengers was called in, who followed with Bellingham in their custody, and they were succeeded by lord Ossulston, Mr. Villiers, Mr. Manning, Mr. Wharton, Mr. Pole, and about ten others.

The Speaker also directed that all members who were magistrates for Middlesex, as well as all persons who had witnessed any part of the transaction, should attend the committee to examine and to give evidence.

The House was then adjourned.

HOUSE OF LORDS.

Tuesday, May 12.

THE PRINCE REGENT'S ANSWER TO THE ADDRESS RESPECTING THE ASSASSINATION OF MR. PERCEVAL.] His royal highness the Duke of York presented the Report of the Prince Regent's Answer to their lordships' Address of yesterday, on the assassination of Mr. Perceval. The effect of this communication was to express the feelings of indignation and regret entertained by the Prince Regent at the violent death, by the hands of an assassin, of the right hon. Spencer Perceval, chancellor of his Majesty's exchequer, &c. assuring their lordships that the information required by their lordships would be duly communicated to the House; and that no steps should be wanting on the part of his Royal Highness, to bring the offender or offenders to condign and exemplary punishment.

His Royal Highness's most gracious Answer being read in the usual way, it was ordered, on the motion of the Lord Chancellor, that the said Answer, with the Address of their lordships, which gave rise to it, should be printed and published.

THE PRINCE REGENT'S MESSAGE RESPECTING THE FAMILY OF MR. PERCEVAL.] A Message from his royal highness the Prince Regent on this subject, was presented by the earl of Liverpool, similar in effect to that presented to the House of Commons. The Message was presented to the Lord Chancellor, in order to be read, in the first instance, from the woolsack; but the grief and agitation of the noble and learned lord on the occasion were such, as, frequently overpowered by his tears, he was unable to finish the reading of the document. It was accordingly read in form by the clerk at the table.

The Earl of *Liverpool* then rose and said, that, although it was not strictly according to the regular course of their lordships' proceedings, he should, on an occasion of such interest and feeling as the present, take the liberty of moving an immediate Address to his royal highness the Prince Regent, in consequence of his gracious Message. In doing this, he should feel himself unworthy of a place among their lordships, if he could for a moment entertain the sentiment, that any topic heretofore connected with political considerations, and producing differences of political opinion, would prevent any noble member of that House from concurring in an object involving what was so justly dear to one, in whom his country experienced such a loss;—to that good and excellent man, who with indefatigable zeal used his best endeavours in the service of his sovereign and the country. In this sentiment he believed they were all agreed; but this much he had no hesitation to say, that he believed few men ever existed, who were endowed with more virtues; and that no man whatever had fewer faults. If ever there was a man less likely to provoke personal hostility than another, the man to whom the proceedings of that night so greatly referred, was the person! If ever there lived a man in whose composition not a particle of gall existed, he was the man. He expressed his full conviction that it would be an unnecessary waste of their lordships' time, to proceed any farther on the occasion, and he would therefore conclude by moving an Address to the Prince Regent, assuring his Royal Highness of their lordships' strong participation in his sense and feelings respecting the murder of the right hon. Spencer Perceval: of their high sense of the private and public virtues of that minister, and of their lordships' cordial concurrence in any measures his Royal Highness may adopt, on the behalf of his Majesty, towards making a suitable provision for the family of the right hon. Spencer Perceval.

Earl *Grey* trusted their lordships would give him credit in declaring, that he sincerely participated in all those feelings to which this melancholy and horrid event had naturally given rise. He, equally with the noble earl, deprecated any allusion to political differences, and whilst he participated in those feelings upon this occasion, common he trusted to every Englishman, he most cordially concurred in the proposed Address. The circumstance of a public servant murdered in the midst of his public services, leaving a numerous family without any provision, which had he lived he might have been enabled to make for them, undoubtedly entitled the family of such a person to a provision from the public. Upon this ground the Address had his most cordial concurrence. Might he, however, be permitted to say, that he thought it would have been more desirable not to have departed from the usual forms of the House, and to have come to the subject with somewhat more deliberation? He was also anxious to state, for the sake of his own honour and consistency, that he concurred in the Address with the express understanding that he did not concur in any words (if any such there were) that might be construed into an approbation of those measures respecting the policy of which he had the misfortune to differ in opinion. In the praise of Mr. Perceval's public virtues, and of his disinterestedness, he most heartily joined; with his private virtues, he was not so much acquainted as others, but, so far as he could judge from a slight knowledge, he was disposed to join in the warmest eulogy. He concluded by again stating his concurrence in the Address, with the qualification he had already mentioned.

The question being put, the same was voted by their lordships *nem. diss.* and it was ordered that the Address should be presented to the Prince Regent by the whole House.

The lords with white staves were then ordered to wait on his Royal Highness to learn his pleasure, when he would receive the Address of their lordships' House.

Committee on the Orders in Council.—State of the Country.] The Earl of *Liverpool* observed, that there were some private Bills which it would be advisable to forward, but that it would be desirable, under present circumstances, not to press any matter that was likely to create any difference of opinion. He observed that the House must sit to-morrow, but that an adjournment for some days might then very expediently take place.

Earl *Grey* agreed in the propriety of not pressing any subject that was likely to create a difference of opinion, but suggested the expediency of continuing the examination of witnesses on the Orders in Council, particularly with reference to the situation of the witnesses now in attendance, who must be put to great inconvenience if they were under the necessity of remaining in town, and the presence of several of whom was actually required in the country.

The Earl of *Liverpool*, while he was aware of the inconvenience to which some of the witnesses might be exposed, felt at the same time that the public and private inconvenience of continuing the examination under the present circumstances would be so great as to preclude any arrangement for that purpose.

Earl *Grey* declined to press the subject any further, although he could have wished that the great inconvenience to which some of the witnesses would be exposed could have been avoided.

The *Lord Chancellor* observed, with reference to what had passed between the two noble earls, that he trusted there were many noble lords in that House, who would not think it an ill bestowing of their time, if they spent a whole month in addition to their usual time of sitting, provided they could employ that month usefully to the country. He felt for the inconvenience to which individuals might be put as much as any man could do, and he trusted their lordships would give him credit as to the warmth and sincerity of his feelings, with regard to another consideration. But in his mind, the state of the country was not really such, as that the interval of a week, a fortnight, or a month, was comparatively a consideration of no importance. They had seriously to consider the situation in which the country was placed at this moment. He would rather suffer death than refrain from saying, that though, in the course of a few days, they might be able to do something better with reference to the subject alluded to, he felt it was necessary they should adjourn only from day to day, in order to be ready to proceed according to what might possibly happen in the country.

Their lordships then proceeded to forward the Bills upon the table, which were chiefly of a private nature.

HOUSE OF COMMONS.

Tuesday, May 12.

The Prince Regent's Message respecting the Family of Mr. Perceval.] The House met at four o'clock, and presented the most melancholy, and one of the most crowded spectacles we have ever witnessed. After a considerable pause of a most affecting nature, lord Castlereagh appeared at the bar with a Message from his royal highness the Prince Regent, which being brought up, was read by the Speaker as follows:

"George, *P. R.*

"The Prince Regent, deeply impressed with the severe loss his Royal Highness and the country have sustained in consequence of the murder of the right hon. Spencer Perceval, and being desirous of marking his sense of the public and private virtues of Mr. Perceval, and of affording relief and assistance to his numerous and afflicted family, recommends to the House of Commons to enable his Royal Highness, in the name and on the behalf of his Majesty, to make such provision for the widow and family of the right honourable Spencer Perceval, as to the justice and liberality of parliament may seem proper.

"G. *P. R.*"

Lord *Castlereagh* then rose. He said he was sure he only anticipated the feelings of the House and of the empire at large, when he observed, that it had never fallen to the lot of any individual, in or out of office, to call the attention of parliament to a transaction of a nature so painful as that to which he was now about to call their attention. Whatever indulgence he might experience from the liberality of the House, he could not but be aware, that it would have been much better had his right hon. friend near him (Mr. Secretary Ryder) addressed them on the present melancholy occasion. The feelings of his right hon. friend, however, were too powerfully affected to allow him to do so, and he trusted, that that circumstance would exonerate him from the charge of presumption in taking upon himself the task of calling upon the House to mark by their vote, their veneration for the memory of his great and dear friend. If it were a case in which great ability and eloquence were necessary to move the feelings of the House, he would have much more doubt of his competence to the undertaking; but whatever difference of political opinions might exist in that House, of this he was confident, that in the present instance, there could be only one feeling in the assembly which he had the honour to address—there could be but one feeling in the breasts of Englishmen—namely, the importance of rescuing the character of the country, and of distinguishing by the most marked disgust, an act of atrocity which was inconsistent with the first emotions of human nature. If there was any thing in addition to the private virtues of his right hon. friend which could make it the peculiar duty of parliament to concur in the sentiments expressed by his royal highness the Regent, in his most gracious Message to that House; it was the consideration that the loss which his family and the country deplored, was a loss occasioned by the attendance of his right hon. friend to the public service. The particular occurrence which brought on the calamity in question, was produced by the conscientious discharge of public duty on the part of his right hon. friend, who would not permit a claim to be successfully preferred to government, for which he was satisfied there was no just foundation. It was a grateful part of his duty to mention, that, as far as they had been enabled to investigate the subject, government were of opinion that this was an insulated act; and that, whatever reproach it might otherwise cast on the national character, ought to be exclusively confined to the individual by whom it was perpetrated. It became the House to take into their consideration what it was proper and becoming in them to do in the case of a servant of the crown, who had been deprived of his life for the conscientious discharge of his public duty. He was persuaded that there was no assembly in which, under such circumstances, all political differences would subside more readily, than in that House. No man could feel guilty of any abandonment of principle, in turning aside for a moment from the consideration of those differences, to that of the case of his right hon. friend, nor could it ever be adduced as an impeachment of the sincerity of any man, however opposed in politics to his right hon. friend, that he concurred in the present provision for Mr. Perceval's family. Every one must be sensible of the peculiar situation of the family of his right hon. friend, from the circumstance of his having so disinterestedly devoted himself to the public service. He had deserted an honourable and a lucrative profession, at a moment when his great talents, which had since raised him so high in his new capacity, promised advantages which certainly nothing but a strong and unequalled sense of public duty could have induced him to forego.—He knew of his own knowledge that his right hon. friend had most reluctantly withdrawn from that profession. Whatever advantage the public might have derived from the change, it ought to be considered, that had it not taken place, his family might have been crowned with affluence, and with all the blessings that such a husband, such a father could bestow.—He was sure that whatever difference of opinion there might be with respect to his right hon. friend's political merits, it would be unanimously allowed that never had any individual in the discharge of great and important public duties, in times of the most arduous nature, conducted himself in a manner so well calculated to conciliate a large portion of personal esteem. Never had man more friends and fewer enemies—nay, a single enemy was not to be found in the circle of those who personally knew him. Parliament could never pursue a better policy than carefully to shield those who were engaged in the public service against the effects of private and individual resentment. It was a duty due not less to their families than to the country. He felt and he spoke sincerely, that it would be only weakening the interest of the case to go farther into the subject: all that he called upon the House to do now, was, to recognize the general principle contained in his Royal Highness's Message. With respect to the extent of the grant, that would be a subject for consideration on a future day. The House would, he had no doubt, be anxious to protect from the danger of poverty all who bore the name of his lamented friend, and, therefore, in framing the grant, they would perhaps consider it wise to make it distributive, rather than to arrange it in such a way that the death of one or two members of the family might subject the rest to the loss of all benefit. As for the widow, her happiness in this world might now be regarded as closed; but it might afford her some consolation to know that parliament, in consideration of the merits and services of her departed husband, had made a suitable provision for her children. [Here the noble lord was so much affected that he was obliged to sit down amidst the loud cheers and strong sympathy of the House.] The motion was,

" That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness the grateful thanks of this House, for his Royal Highness's most gracious Message. To assure his Royal Highness that they deeply participate in the severe loss his Royal Highness and the country have sustained, in consequence of the murder of the right hon. Spencer Perceval, first Commissioner of his Majesty's Treasury, and Chancellor of the Exchequer, of which most atrocious act, committed within the walls of parliament, they cannot, in terms sufficiently strong, express their abhorrence; and being desirous of marking their sense of the public and private virtues of Mr. Perceval, and of affording relief and assistance to his numerous and afflicted family, they beg leave humbly to assure his Royal Highness, that they shall feel it a grateful act of public duty, under the melancholy circumstances of this afflicting case, to enable his Royal Highness, in the name and on the behalf of his Majesty, to make such provision for the widow and family of the right honourable Spencer Perceval, as may be consistent with the justice and the liberality of parliament."

Mr. *Ponsonby* expressed himself extremely anxious to second the motion. The character and honour of the House were concerned in shewing that no difference of political opinion would induce any member to hesitate for a moment in evincing the most indignant feelings at the horrible atrocity that had been committed. One of the great blessings of a free government was, that it allowed men to express their sentiments freely on all occasions, but if acts of revenge and assassination, like the present, were to prevail, the people would be in a condition no better than in those countries subject to the most rigid despotism. He was happy, therefore, to hear the noble lord state, that the national character was not tainted by any diffusion of this crime, but that, as far as could yet be ascertained, the guilt was confined to one unfortunate individual. Whatever difference of opinion might exist on political subjects, it was the right of every man in a free country to declare his sentiments. However opposed he might be in politics, to the individual to whose memory they were now called upon to pay a just tribute, he was persuaded that no man in the House, no man in England, would hesitate in vindicating the principle which he had just laid down, or would allow the family of that individual to suffer for the honest expression of his sentiments. The noble lord had expressed a wish that the grant should be liberal, and he (Mr. P.) was sure that there was but one sentiment on that subject in and out of the House. It was the duty of parliament to interfere, it could only consult its honour by interfering liberally. As for the particular distribution of the grant, that would be a subject for future discussion; but in his opinion, the principle recommended by the noble lord ought to be adopted. He was sure that it must be the wish of the House that no branch of the family of Mr. Perceval should be left in poverty to lament the fate of his unfortunate father. No man thought Mr. Perceval's political opinions more erroneous than he had always done, but he entertained the highest opinion of his honour, and the greatest affection to his person. He had known him in early life, and he had never known a man of greater worth. As a husband, as a father, as a friend, no man was more to be admired. As they could not restore a life so dear to all, they ought to do that which alone was in their power, and to alleviate the distresses of his family, and render the remnant of their lives as far comfortable as they could, and if possible, happy.

Mr. *Canning* hoped that it would be unnecessary in him to offer any apology to the House, if even after the just and eloquent tribute which had been already paid to the memory of Mr. Perceval, he was still anxious to offer the expression of his full and cordial concurrence in every part of those acknowledgments. However incompetent he might be to add any observations worthy of the deceased, or of the attention of the House, he trusted that he should be excused, if for a few moments he indulged that anxiety. It was some consolation in the midst of that grief in which all participated, that he had only to join in the unanimous desire of bearing testimony to the virtues and talents of a man, whose loss all parties agreed in deploring, and of whom it might with peculiar truth be said, that whatever was the strength and extent of political hostility, he had never, before the last calamity, provoked against himself a private enemy. It was due to departed character to say, that no man could entertain opinions, without feeling his confidence in their truth and justness increased, by finding them in unison with those of his right hon. friend, or differ from him in political sentiments, without acknowledging that his errors were the errors of a virtuous mind; no man to whom it had happened to be joined with, and afterwards separated from him, but was truly sensible of the gratification which never failed to result from acting in concert with him. It must, however, furnish a great consolation to him and to the House, to be informed by the noble lord that the crime which had robbed them of the life and services of Mr. Perceval, appeared upon investigation to be confined to the individual perpetrator.—He thought the noble lord had done well in making this communication, because great mischief and alarm might have otherwise resulted from the misrepresentations of persons actuated by the best, as well as of others actuated by the most evil principles. On the one hand, it might have been held up as an example and encouragement of practices foreign to the character, and abhorrent to the feelings of Englishmen; while on the other, it might have been regarded as the symptom of a general and prevailing spirit of bloodshed and anarchy, forerunner of the evils which had desolated the rest of Europe. He fully agreed in all that had been said, both as to the propriety of expressing their abhorrence of the crime, which it was so painful to contemplate, and of pledging themselves to make adequate provision for an afflicted family. To that family, as well as to the country, the loss of Mr. Perceval was irreparable, but it was still in the power of the House, in some measure to assuage the consequences to the former. The utmost munificence of a generous nation could do no more; but when they recollected how often within the last two years they had listened to his voice, when it invited them to reward the glories and triumphs acquired abroad, it would afford a melancholy and not ungrateful pleasure to reflect, that there was at least left to them, the opportunity of testifying their sense of his services, and estimation of his merits.

Mr. *Whitbread* declared, that having throughout been a marked and determined political antagonist of the right hon. gentleman, he did not think it would be becoming in him not to say, that he cordially concurred in granting to the family of that right hon. gentleman, the only compensation for his loss, which it was in the power of the House to make. That it was impossible there could be a man more distinguished for his private virtues, every person acquainted with the right hon. gentleman admitted, and was anxious to declare. Among his public virtues, the right hon. gentleman had one, which he (Mr. W.) begged to mark, for the benefit and example of posterity. The right hon. gent. had uniformly displayed a most perfect and unceasing controul of temper in that House. He (Mr. Whitbread) hoped, that beyond the door of that House, he had never on any occasion, carried a feeling of resentment or displeasure against any one of its members; against the right hon. gentleman, he had ever found it impossible to carry such a feeling even so far as the door.

The Address was then agreed to, *nem. con.*

Lord *Castlereagh* moved that it should be presented by such members of the House as were privy counsellors.

Mr. *Wynn* thought it would be more in unison with the present feeling that it should be carried up by the whole House.

Lord *Castlereagh* withdrew his motion, and the Address was ordered to be carried up by the whole House, according to the suggestion of Mr. Wynn.

Sir *R. Williams* expressed his admiration of the character of Mr. Perceval, and stated that he was at school with him when a boy, and that no person could be more respected and beloved by his master, or more idolized by his equals. He proposed that he should be honoured with a public funeral.

Lord *Castlereagh* thought the wishes of his family should be consulted before they determined on any step of the kind.

After a few words from Mr. Canning to the same effect, the motion was not persisted in.

Lord *Castlereagh,* after moving that the House should to-morrow form into a committee of the whole House, to consider the Message, which was agreed to, observed, that probably the House might find it expedient to adjourn from day to day; and that in that case it might be thought advisable to defer to a future period the Orders dropped, and the examination of witnesses in the committee on the Orders in Council.

Mr. Ponsonby, Mr. Whitbread, and Mr. Brougham, objected to the last proposition, on account of the expence and inconveniency to which witnesses attending both Houses of Parliament were liable.

It was at length determined that the House should be adjourned from day to day.

The other orders of the day were then postponed, and the House adjourned till to-morrow.

HOUSE OF COMMONS,

Wednesday, May 13.

Answer of the Earl of Wellington to the Vote of Thanks for the Capture of Ciudad Rodrigo.] The Speaker acquainted the House, that he had received from general the earl of Wellington, the following Letter, in return to the Thanks of this House, signified to him, in obedience to their commands of the 10th of February last.

"*Fuente Guinaldo, April 29th,* 1812.

"Sir; I have had the honour of receiving your letters of the 11th February and

8th instant, in which you enclosed the unanimous votes of the House of Commons of the 10th of February and 8th of April, expressive of their approbation of the conduct of the general officers, officers and troops under my command, which were employed in the siege and assault of Ciudad Rodrigo.

"In obedience to the orders of the House, I have communicated to the general officers, officers, and troops, these honourable testimonies of their approbation, and I beg that you will do me the favour to make my acknowledgements to the House for the notice which they have taken of my services, and to assure them of the sense which I entertain of the honour which they have conferred upon me, and of my gratitude for their repeated favours.

"I request you to accept my thanks for the handsome terms in which you have conveyed to me the sense of the House.

"I have the honour to be, Sir, with the greatest respect, your most obedient and faithful humble servant, WELLINGTON.

"The right hon. Charles
Abbot, Speaker of
the House of Commons, &c. &c. &c."

PETITION FROM BERWICK-UPON-TWEED RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the mayor, bailiffs, and burgesses of the borough of Berwick-upon-Tweed, in guild assembled, was presented and read; setting forth,

"That the petitioners conceive it to be the undoubted right of the subjects of these realms to trade to every part dependent on or in amity with this country, subject only to such restrictions and regulations as the nature of the trade may require; that the monopoly of the East India Company is an additional instance, with others that might be adduced, of the injurious consequences that must always attend such attempts at an exclusive traffic; and that the petitioners conceive it to have been fully demonstrated, not only by the most conclusive reasonings, but by incontrovertible facts, that such monopoly is prejudicial to the general interests of the country at large, and discourages that commercial spirit which, from the nature and local situation of these islands, is indispensable to their prosperity, and upon which their security at this moment essentially depends; and that the petitioners consider the arguments in favour of the exclusive right enjoyed by the East India Company completely answered by the undoubted fact that one half of that trade is carried on by foreigners; and that, were the trade to India laid open to the industry, exertion, and enterprize of the subjects of the United Kingdom, it would create an additional nursery for seamen, men who have at all times so eminently contributed to maintain the honour, glory, and safety of the British empire; and that the petitioners are therefore of opinion, that a further renewal of the East India Company's Charter will only be the means of enriching individuals at the expence of the community at large; and praying, that the House will take the above premises into their consideration; and that the monopoly of the East India Company may expire with their present Charter."

Ordered to lie upon the table.

PETITION OF THE WEAVERS, &c. OF CHOW BENT RESPECTING PEACE.] Mr. *Brougham* presented a Petition from several weavers and other inhabitants of the town and neighbourhood of Chow Bent, in the county of Lancaster; setting forth,

"That the petitioners have been, for a long time, labouring under a state of unexampled distress, as the House will easily conceive, on being informed, that whereas the price of the necessaries of life is nearly doubled since the commencement of hostilities with France, the wages of the petitioners are reduced three fourths; and that, in these afflicting circumstances, the feelings of the petitioners are greatly aggravated by their knowledge that, whilst their utmost exertions in labour cannot save them from starving, vast sums of the public money are bestowed upon individuals as the salaries of sinecure places, that is to say, of places the holders of which receive wages without performing any work: and that, in proof of the fact, that vast sums of the public money are thus bestowed, selecting a few instances out of a great variety of the same nature they beg leave to remind the House, that the right hon. George Rose holds the office of Clerk of the Parliament, with a salary of 3,278*l.* per annum; that the right hon. Charles George lord Arden holds the offices of Register of the High Court of Admiralty, and of Register of the High Court of Appeals for Prizes, for which he receives, clear of deductions, 12,554*l.* per annum; and, finally, that the marquis of Buckingham and earl Camden hold the offices of Tellers of the Exchequer, for which offices they receive, the former 23,093*l.* the latter 23,117*l.* per annum; the duties of all which offices above-mentioned are executed by deputies receiving comparatively trifling allowances; and that the petitioners have, from time to time, been informed of large sums of money being paid out of the public funds to distressed foreigners, on which head, passing by the sums paid as subsidies to the Sicilians and Portuguese, to the duchess of Brunswick, and divers other German refugees, they beg leave to call to the recollection of the House the sums paid to the exiled Catholic clergy and laity of France, which amounted, in the year 1794, to 99,548*l.* 7*s.* 6*d.*; in 1795, to 135,890*l.*; in 1796, to 199,890*l.*; in 1797, to 177,480*l.* 9*s.* 7*d.*; in 1798, to 161,333*l.* 7*s.*; 1799, to 187,886*l.* 10*s.* 11*d.*; in 1800, to 195,713*l.* 5*s.* 1*d.*; in 1801, to 180,772*l.*; and that, though the petitioners presume to be of opinion, that, in the season of their distress, they have as strong a claim upon the public funds of the nation as any foreigners whatever; and though they are apprised that the precedent of the special distribution of 24,226*l.* to the parishes where the weaving of silk is carried on in London in the year 1801, would justify them in applying to the House for direct pecuniary relief, they deem it more becoming them, as Englishmen, to declare to the House, that they would far prefer, to the receipt of any assistance, a dependence upon their own unimpeded industry; and that they therefore do respectfully, but earnestly, call upon the House well to consider the premises, and, by the powers which are by the constitution vested in them, to check and restrain the extravagant expenditure of the public money, which, by occasioning the imposition of enormous taxes, increases the price of the necessaries of life, and to compel his Majesty's ministers to adopt a line of policy which, by conciliating neutral nations, may effect the revival of trade, which alone, by renovating the energies of the nation, can, under the Divine Providence, finally secure to it the blessings of an honourable and permanent peace."

Ordered to lie upon the table.

PETITION FROM LIVERPOOL IN FAVOUR OF THE ORDERS IN COUNCIL.] General *Gascoyne*, in laying before the House a Petition from the gentlemen, clergy, merchants, and traders of Liverpool, observed, that it was signed by three-fourths of the ship owners of that town, and that although the former Petition against the Orders in Council was more numerously and very respectably signed, the names were not so respectable as those which appeared to the instrument he was now commissioned to lay upon the table. The Petition was then read; setting forth,

"That the petitioners, deeply impressed by a sense of the danger to which the public peace and order are exposed by the promulgation of opinions tending to weaken, in the minds of the people of these realms, that reverence for the British constitution, so essentially necessary to the maintenance of social order and good government; and, fully convinced that every measure calculated to arraign the wisdom of the legislature, and bring into contempt the dignity of parliament, can only pave the way for the subversion of all true allegiance, feel themselves imperiously called upon to express their fullest confidence in the wisdom and integrity of the House; and that the petitioners feel, with gratitude and respect, that, during the long and auspicious reign of their beloved monarch, those privileges, so dear to Britons, and which they exclusively enjoy, have not only been protected, but increased, by the wisdom of the representatives of the people; and they implicitly rely on the House, which has hitherto watched over their interests with ceaseless anxiety, for the adoption of such measures as are calculated to promote their commercial prosperity, under the partial depression inseparable from the prosecution of a just and necessary war; and that the petitioners cannot refrain from expressing their confidence in the indefatigable exertions and unblemished integrity of his Majesty's ministers; and they venture to express an earnest hope, and firm conviction, that the illustrious prince, to whom, during the lamented malady of their beloved King, the sovereign power is entrusted, will never have occasion to regret his adherence to men so eminently qualified for the trusts reposed in them by his royal father; and the petitioners humbly hope that the House, in the consideration of the great commercial question now before them, relative to the Orders in Council, will take into their consideration the effects those measures have produced in the dominions of an implacable enemy, and should it appear, after due examination, that they have tended to the general good of the British empire, that the House will not be induced to rescind them by the efforts of party, or by the more dangerous influence of popular clamour."

Mr. *Brougham* said, that had he been an inhabitant of Liverpool, he could have objected only to the sentence expressive of a "confidence in the indefatigable exertions and unblemished integrity of ministers," and would cheerfully have affixed his signature to all the rest, but mainly to the last clause, which entreated parliament not to repeal the Orders in Council "if it should appear, after due examination, that they have tended to the general good of the empire."—With regard to the names affixed to the Petition, he had been informed by a person of high respectability, that apprentices, clerks, and other subordinate characters had been persuaded to sign it in order to swell its numbers. The assertion might be erroneous; he hoped it was so; but he apprehended another fact, which he should state, could not be met with the same denial; namely, that the Petition was not subscribed by persons of wealth and consequence only, who had flourished under the present system, but that names to it had been sought even from the borough jail of Liverpool. He mentioned these circumstances, that the hon. general might, if he had it in his power, afford to the House some explanation.

General *Gascoyne* apprehended, that when the hon. and learned gentleman was mentioning the signatures of clerks, menials, and prisoners, he had mistaken the Petition now upon the table in favour of the Orders in Council, for that which had been obtained from the same place against them. He had been credibly informed, that names to the latter had been sought and obtained from the borough jail. He had too much respect for those who now instructed him, to imagine, whatever others might have done, that they had condescended to such practices.

Mr. *Stephen* called the attention of the House to the fact, that the Petition now offered was signed by three-fourths of those who were immediately concerned in the American trade, and who must therefore, according to the arguments employed on the other side, above all be anxious that the Orders in Council should be abrogated. With regard to the Petitions from other places being produced by the spontaneous impression of commercial distress, it ought to be known, that they had been solicited by men who added to their other claims to respectability, what would be deemed by the hon. and learned gentleman, an undeniable claim to that character, a uniform and determined opposition to the measures of government, whatever they might be, and who were always foremost in demanding a change, or, what he would rather call, a revolution, both in Church and State. The hon. and learned gentleman had said, that he concurred in all the sentiments contained in the Petition but one: he thought there was another to which the hon. and learned gentleman would not give his assent; namely, that in which the petitioners expressed a hope that the House would not be intimidated by popular clamour, for, according to his own confession, some of the Petitions presented against the Orders in Council were obtained at the hon. and learned gentleman's own suggestion—at his own request—the letter which had been given in evidence could bear testimony to the fact.

Mr. *Brougham* insisted, that the hon. and learned gentleman had no right to bring it against him as a criminal charge, that he had written a letter regarding petitioning the House of Commons, on the subject of the Orders in Council. His advice had been applied for, and he had recommended that the utmost precaution should be used to prevent popular disturbances, and that parliament should be applied to as the proper source from whence to claim redress. Was this a matter on which was to be founded a criminal charge?—And was it above all to be brought forward at a time when the arguments on the other side were so distorted, and deformed by the meanest arts; by scattering among the vulgar, dark, ambiguous, and vague insinuations of crime.

Mr. *Stephen* here put in his claim, to as great a latitude of explanation as was allowed to the hon. and learned gentleman.

The *Speaker* observed, that the hon. and learned gentleman (Mr. Brougham) was certainly out of order.

Mr. *Brougham* merely added, that the meeting for the adoption of a Petition at Birmingham, was not held in consequence of his letter, but pursuant to the advice of a magistrate in the neighbourhood.

Mr. *Barham* expressed his sorrow, that this angry altercation had occurred, when the feelings of the House were so little able to bear it.—At the same time he must remark, that the hon. gentleman was always foremost in personal attacks.

Lord *Castlereagh* put it to the House, whether it would not be more becoming now to drop the subject, considering the great business of the evening?

Mr. *Stephen* resigned his right of reply, out of respect to the painful feelings with which all breasts must, after recent events, be pervaded. He had very unwillingly taken part in the discussion.

The Petition was then laid upon the table.

A message was received from the Lords, with the Plate Drawback Bill, and the Vauxhall Bridge Bill, the latter with some amendments.

Mr. *Brougham* presented a Petition, signed by four witnesses, now in London, waiting to be examined on the subject of the Orders in Council, praying that the House would proceed with the enquiry, as their stay for so long a period from their manufactories was extremely inconvenient, and might, in the present state of the interior, be dangerous.

Lord *Castlereagh* took this opportunity of stating what he conceived, in concurrence with the hon. gentleman, would be the more convenient and proper mode of proceeding in the present defective state of the government of the country, which rendered it desirable not to go into any public business that could without inconvenience be postponed, and more particularly not to go into any subject on which a strong difference of opinion might be expected. He agreed, that if the subject of the Orders in Council were postponed, and the witnesses were allowed to return home unexamined, in the minds of the uninformed, a false, and perhaps an injurious and dangerous impression might be created. He therefore was of opinion, that the more prudent and convenient mode would be that the examination of witnesses should proceed, and that if any question of grave doubt or difficulty occurred, it should be deferred for decision at a future period, and that the testimony as to the general facts wished to be established should be continued. He should only claim that two or three witnesses, now in London, on the other side of the question, for personal convenience, should be examined before the matter was postponed, and the main body of evidence in favour of the Orders in Council adduced.

Mr. *Brougham* observed, that the noble lord had correctly stated what had been agreed upon in a communication on the subject.

The Petition was ordered to lie on the table.

Answer to the Prince Regent's Message respecting the Assassination of Mr. Perceval.] Lord *Castlereagh* moved for the appointment of a committee to frame an Answer to the Message of the Prince Regent, respecting the murder of Mr. Perceval, pursuant to the Resolution of the preceding day, which Resolution he proposed should be referred to the committee.

Sir *F. Burdett* said he had no opportunity, on the preceding day, to express those feelings in which he participated in common with every member of that House. On such an occasion, he rose, not to oppose the motion of the noble lord, but merely to express his abhorrence of, and horror at, the assassination of the late Chancellor of the Exchequer. There was no room for any feeling but one on such an occasion; and that feeling all must wish should be conveyed to the sovereign, unallayed by any other. It was impossible that this feeling, on a subject which concerned the safety of every man in the nation, should not be carried with unanimity to the throne; it would, in his opinion, be an unworthy act to mix any other feeling of personality or politics with it. It was natural, and indeed it ought to be so, for such a feeling to put an end, for a time, to every difference of opinion. Saying this, however, he by no means precluded himself from taking any line of conduct which he might feel it to be his duty to take, after they got into the committee, when he heard the amount of the grant to be proposed. That he might not be so precluded from doing that which hereafter he might conceive it to be his duty, by concurring as strongly as any man in the motion, and as sincerely lamenting and abhorring the atrocious transaction which had led to it, was the object he had in view, in thus offering his sentiments to the House.

The motion was then agreed to, and a Committee appointed accordingly.

Lord *Castlereagh* brought up the Report of the committee, which merely embodied the Resolutions of the preceding day, and was as follows:

"The humble Address of the House of

Commons to his Royal Highness the Prince Regent.

"May it please your Royal Highness:

"We, his Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in parliament assembled, beg leave to return your Royal Highness our grateful thanks for your Royal Highness's most gracious Message.

"We assure your Royal Highness, that we deeply participate in the severe loss your Royal Highness and the country have sustained in consequence of the murder of the right hon. Spencer Perceval, first Commissioner of his Majesty's Treasury and Chancellor of the Exchequer, of which most atrocious act, committed within the walls of parliament, we cannot in terms sufficiently strong express our abhorrence; and, being desirous of marking our sense of the public and private virtues of Mr. Perceval, and of affording relief and assistance to his numerous and afflicted family, we beg leave humbly to assure your Royal Highness, that we shall feel it a grateful act of public duty, under the melancholy circumstances of this afflicting case, to enable your Royal Highness, in the name and on the behalf of his Majesty, to make such provision for the widow and family of the right hon. Spencer Perceval as may be consistent with the justice and the liberality of parliament."

Lord *Yarmouth* appeared at the bar, and stated to the House, that having waited on the Prince Regent, pursuant to the Resolution of the House, to know when his Royal Highness would be pleased to receive their Address, he was authorised to say that it was the pleasure of his Royal Highness to receive it to-morrow, at Carlton House, at three o'clock in the afternoon.

The *Speaker* said it might now be proper to consider at what time the House should assemble to wait upon his royal highness with the Address. The previous arrangements would necessarily occupy some time. He should think that to proceed from the House to Carlton House would not take up less than half an hour. He therefore proposed to come down to the House by two o'clock, and to take the chair at that hour, if enabled so to do by the attendance of the House.

PRINCE REGENT'S MESSAGE RESPECTING THE FAMILY OF MR. PERCEVAL.] On the motion of lord Castlereagh, the House now resolved itself into a committee of the whole House, to consider of making a provision for the family of Mr. Perceval.

Lord *Castlereagh* having yesterday ascertained the sense of the House on the considerations growing out of the late melancholy event, felt it would now be unnecessary for him to take up the time of the committee by going into the subject at any great length. It was only necessary to submit to their consideration the regulations necessary for carrying into effect what they had yesterday unanimously resolved to do, with an expression of feeling which would never be forgot by those who were present, and which was as creditable to that House as it was honourable to the country. In the course of what he had said yesterday, he had abstained from suggesting any amount of grant, because he thought it would be premature at that time; and had only endeavoured to draw the attention of the House to one consideration—that of making the grant of such a nature, that the advantages resulting from it should not go from the family on the death of one or two individuals of that family. It could hardly be necessary to state, that in addition to the widow of Mr. Perceval, there were twelve children left under the protection of the House and the public. The House would feel that such a provision ought to be made as would enable those to whom their education was entrusted, to provide for them in some measure according to the rank, talents, character and pre-eminent services of their father. It had been thought by his majesty's government, that in making the proposed provision, it would be desirable, in the first instance, to vote a grant of a substantive sum of money for the children, as if no provision were made but by an annuity, the death of the individual on whom the annuity should be settled, might leave the children unprovided for, before they attained years of maturity. He should, therefore, first propose the grant of a sum of money for the support and education of the children, meaning afterwards to move a grant by way of annuity to their disconsolate mother. When they contemplated the family which Mr. Perceval had left, it was evident that the sum necessary to place the individuals of it in that situation which could be wished must be very ample; but it might be doubted if this could be done consistently with that economy which it was necessary should be consulted by government in the present situation of the country. On this point government were controuled, not only by the considerations of economy to which he had referred, but by the family of Mr. Perceval, whose wish it was, that whatever was done on the subject might not be excessive or inordinate, but might be framed on a scale calculated to conciliate the approbation of all parties. The House, while making a provision for Mr. Perceval's family, would feel that though bound to consult economy, they ought not to make a grant that was wholly inadequate to the purpose for which it was proposed, as it would not mark the act which they deplored with that sense of public feeling which it was desirable should be expressed, to convey due sense of the detestation and horror in which the crime was held, or to vindicate the national character from the stain with which it was polluted. The amount of the sum which it had occurred to government it might be proper to grant in money, was 50,000*l.* to be appropriated to the use of Mrs. Perceval in the first instance, and afterwards to be divided among the children, under such regulations as the House might think necessary. With respect to the provision to be made for Mrs. Perceval exclusively, he conceived that a smaller annuity than 2000*l.* per annum, would not be suitable to the situation of life in which she was placed, or consistent with the rank and merits of her lamented husband. These were the propositions which he had to submit to the committee. He thought it unnecessary to detain them longer, and should therefore move, "That it is the opinion of the committee that a sum not exceeding 50,000*l.* be granted to his Majesty, to be vested in trustees, for the use of the twelve children of the late right hon. Spencer Perceval, in such manner as his majesty, or his royal highness the Prince Regent, acting in the name and on behalf of his majesty, shall direct."

Mr. *Ponsonby* suggested to the noble lord the propriety of stating to the House the circumstances in which Mr. Perceval had left his family.

Lord *Castlereagh* thanked the right hon. gentleman for calling his attention to a point which he had inadvertently omitted. He was not minutely in possession of the circumstances of the family, but he was able to state, that the provision which Mr. Perceval had left for his family, was so moderate, as not to leave a possibility of their living in a style suited to their rank. Nearly all the property that remained was the jointure settled on Mrs. Perceval out of her own fortune, on her marriage. There was no income whatever arising out of the long and arduous efforts of the husband in the public service,—so liberally had Mr. Perceval dispensed the fruits of his labours, and so little calculated was his generous disposition to the task of laying up wealth for his successors. Those who were acquainted with him knew that his whole time had been devoted of late years to the political concerns of his country. He had forsaken a lucrative profession, in which he had attained the highest eminence, and had not left behind him even the means of introducing his children into any profession suitable to their rank in life.

Mr. *Herbert*, of Kerry, said, that he thought it would be only reasonable and proper if 10,000*l.* were granted to the eldest son of Mr. Perceval, beside the share he would receive of the provision made for his brothers and sisters. He would move an amendment to that effect.

Mr. *Holme Sumner* declared, that the sum of little more than 4,000*l.* each to the children was wholly inadequate. He appealed to every father who heard him whether it was possible to educate a child for that comparatively trifling sum?—The very expences of clothing and nutriment at home from his infancy would exceed that amount. Such a grant would really be putting the children barely above want. Was such the situation in which Mr. Perceval's labours would have left them if he had pursued his profession? Had he not for the service of his country, deserted the service of his family, at a time when he had attained the loftiest eminence in the law, by continuing in which he might have died possessed of a large fortune? He held the high office of Attorney General, and had a vacancy occurred, he would have been exalted to the high station of a chief justice or a chancellor.—Was it to be believed, that in such a case the situation of his family would not have been incomparably more affluent than under the present circumstances he had left them? By the vote proposed, the House was not acquitting the debt it owed to Mr. Perceval. He would long live in the affectionate and grateful remembrance of every man, and his family ought not to fall. Instead of this paltry proposal he would have wished to see the House, with a warmth of feeling that became it, address the throne, praying the Prince Regent to exalt in rank the representative of Mr. Perceval. He should have thought it but justice that the same provision should have been in this case made, which parliament had recommended in other instances of signal public services; that an annuity should be given for one or two lives. The least that could be done, he should think, was to appropriate 6, or 7,000*l.* to each of his children. The House was not called upon to do an act of generosity, but of justice, and it would degrade itself in the eyes of the world, if it were guilty of unworthy parsimony.

Mr. *Wilberforce,* while he entirely participated in the feeling which dictated the last speech, differed from the opinion it expressed. He admitted that it was not possible to consider the vote suggested an adequate remuneration: in point of value it was not, perhaps, one millionth part of the worth of Mr. Perceval. However opposite might be the political opinions of many, none ever refused to pay a merited tribute to the private character of that great man: they acknowledged the rectitude of his motives, however erroneous they might deem his views. In considering a subject of this nature, another subject was to be taken into view—the necessity of shewing in what estimation virtue was held, that others, seeing the reward it received, might be induced to walk in the paths his late right hon. friend had so long trodden. No man was more disposed to allow that differences of sentiment in his adversaries arose from the purest conviction; and no man was disposed to step further to reach the hand of conciliation. But it was highly desirable that a vote of this kind should be unanimous; and he trusted that gentlemen would abstain from resistance on that ground, although on others the delicacy of their conscientious scruples might lead them to dissent. However unanimous the House might be in the propriety of most amply providing for Mr. Perceval's family, it should be recollected that in the country his political opinions had many strenuous opponents, who might think too large a sum wholly misapplied. When the noble lord was censured for proposing the vote in question, the difficult and painful situation in which he was placed ought not to be forgotten. He had to consider, on the one hand, their reverence for the public measures of his deceased friend, and the private attachment to his person and family, and on the other, he was to pay regard to the general sense of the nation, and to the propriety of obtaining an unanimous vote. All things taken into view, he thought that the just medium had been discovered. Having long known, and as long valued and admired Mr. Perceval, he wished to bear his public testimony to his virtues. Although he had frequently felt it necessary to differ from him, he could declare, with perfect sincerity, that of all the men he had ever known, he had never been acquainted with a single individual who appeared so instinctively to obey the impulse of duty. He had known him nearly 35 years, and he had often said in private what he would now repeat in public, that he never saw an individual placed in such a high and dignified situation who so instinctively obeyed the impulse of duty and conscience. One of the highest tributes that could be paid to man had been given him last night by an hon. gentleman (Mr. Whitbread). It did equal honour to the individual who spoke it, and to the individual of whom it was uttered. With natural liveliness of temper, and a great flow of wit, he never had said any thing that could give the slightest sensation of pain, beyond the moment. He had heard Mr. Perceval frequently speak of those who had treated him with unkindness or injustice, but any other person was willing to go further in their censure than Mr. Perceval was inclined to go; he seemed to be ever on his guard in that particular by the spontaneous result of nature, and not by the forced contrivances of art. A man of more real sweetness of temper; a man more highly blest by nature, was never known, or one in whom goodness of disposition was more deeply rooted. On the whole, as the sum recommended by the noble lord was most likely to ensure the approbation of all, he thought it better that a little violence should be done to the feelings, rather than object to it; it was, in truth, a higher question than any that concerned a few thousands. The family would doubtless be much more highly gratified in obtaining a smaller, frank, warm, and unanimous vote, than in receiving a larger amount, which might be deemed, even by a few, unnecessary and improper extravagance.

Mr. *Gipps* reminded the House that Mr. Perceval had declined receiving his salary as Chancellor of the Exchequer, which was 2,800*l.* If he had received this, his family might have been better off by twelve or fourteen thousand pounds. While all around him were living upon his generous bounty, Mr. Perceval was regardless of himself; and though disposing of millions weekly, remained in comparative poverty. He therefore thought the grant ought to be extended, and that they ought, at least, to give his children 5,000*l.* each.

Mr. *Whitbread* would confine himself to stating the conclusion to which he had come, without stating the reasons which had brought him to that conclusion. He thought with the member for Yorkshire, that the unanimity of the House was of more importance to the family of Mr. Perceval than a sum something larger than that proposed, if voted with reluctance. He felt himself bound to say, that entirely concurring with that which, after due consultation, had been proposed by the noble lord, if any thing beyond that sum were proposed, the vote of the House would not be unanimous.

Mr. *Cartwright*, though he could have wished a larger grant had been proposed, was in favour of the original proposition for the sake of unanimity.

Mr. *C. W. Wynn* was of the same opinion. It was the bounden duty of parliament to make a provision for the family of Mr. Perceval, not only on account of his individual merits; but because he had suffered in the execution of his public functions. He certainly could have wished the House had been favourable to a larger grant, but at the same time he must observe, that the vote of that committee was not all the patrimony the children of Mr. Perceval would derive from their father. They had the inheritance of his virtues, and those, whatever situation his offspring might be placed in, would ensure them the respect and assistance when practicable from persons of all parties.

Mr. *Herbert*, of Kerry, declared that he could not enter into much of the reasoning which had been urged against his amendment. It was not only a matter of duty but of policy, to pass a vote for an ample sum. He said now, as he had before urged, that the great officers of state were not adequately remunerated for their services; men who spent their lives in the service of their country ought not to remain unrewarded and to die in poverty.—He would, however, withdraw his amendment, in the hope that some honourable gentleman would move that the annuity to Mrs. Perceval be 3,000 instead of 2,000*l*.

Mr. *Bankes* moved, that the following words should be added to the motion: "The said sum to be paid without fee or deduction."

Mr. *Hawkins Browne* proposed making the grant 60,000*l.* and moved to that effect, but the motion was not seconded.

The question on the original motion, with the addition proposed by Mr. Bankes, was then put, and carried *nem. con.*

Lord *Castlereagh* said, that as it was his wish this business should be settled with as little delay as possible, and as the House had universally agreed to meet to-morrow for the purpose of going up with the Address; he hoped they would give an early attendance, that the Report might be brought up and agreed to before they left the House. He then moved a resolution for granting 2,000*l.* a year to his Majesty out of the consolidated fund, in order to enable him to grant an annuity to that amount to Mrs. Jane Perceval, widow of the right hon. Spencer Perceval deceased, for the term of her natural life, to commence from the 11th day of May, 1812, and that the same be paid without any fee or deduction whatever.

Mr. *H. Sumner* felt it to be a duty he owed to his constituents to move an amendment to continue the annuity to Mr. Perceval's eldest son. If doing this he sacrificed unanimity, he felt that he sacrificed but a form, as he had no doubt of his motion being carried, if it did not meet with unanimous support. He therefore moved, that after the words 'Jane Perceval' there be inserted, 'and at her decease, to the next heir being a male descendant, and having attained the age of 21 years.'

Sir *Mark Wood* suggested to the hon. member whether it would not be better to let the resolution of the noble lord be first agreed to; and afterwards to propose his amendment as a distinct resolution. By adopting this course two of the resolutions would pass unanimously, whatever might be the fate of the third.

Mr. *C. W. Wynn* recommended it to the hon. gentleman to avail himself of this suggestion.

Mr. *H. Sumner* agreed to this, and the original motion was put and carried, *nem. con.* Mr. Sumner then moved, "That the annuity of 2,000*l.* payable to the honourable Jane Perceval for her life, shall, after her decease, be paid to such male descendant of the right hon. Spencer Perceval, as shall be at that time his heir, for the term of his natural life."

Mr. *Whitbread* professed his unfeigned regret that the hon. gentleman had pressed his motion. He wished to say nothing against the political memory of the dead, but his opinions on the policy of Mr. Perceval he had, when living, expressed to his face. If he concurred with that which was proposed, he should think that by doing so, he concurred in approbation of his political measures. He spoke for himself and for no one else, and if the Resolution should be pressed, he should certainly divide the committee.

Mr. *Wilberforce* reminded the committee that their proceedings would be considered by posterity, and would become matter of history. They ought therefore to be dictated by views of sound national policy. If there was any one thing which the committee ought particularly to guard against, it was the imputation that the majority who voted with the minister while living, had voted a large sum after his death in support of their own political opinion. Any division on this question would but sully the high testimony of approbation which his late right hon. friend had received even from those who were hostile to him in politics. Surely a grant of 2,000*l.* a year to a branch of Mr. Perceval's family for a few years longer, was not to be put in competition with unanimity in their proceedings.

Lord *Castlereagh* could not help admiring the conflict of generous feelings displayed on this occasion. He would assure the hon. mover of the present proposition, that had he calculated the proposed remuneration by his own sense of the character and public services of his late right hon. friend, it would have been of a much higher description; but he thought that he should best perform his duty, and act most consonantly to the feelings of Mr. Perceval's family and connections, by framing his resolutions in such a manner, as to conciliate all parts of the House. He confessed that he extremely lamented, that the zeal and affection of any individual should endanger unanimity on the present occasion; and to prevent the House, if possible, from being put into the awkward situation of directly affirming, or disaffirming the proposition of the hon. gentleman, he should move, as an amendment, to leave out all the words after the word "that" in the hon. gentleman's motion, for the purpose of substituting the following:—"I report the said resolution to the House."

Mr. *Canning* said, that had the motion of the hon. gentleman formed a part of the original proposition submitted to the House, he could have felt no difficulty in giving it his entire and cordial concurrence. But he must say, that he thought the honourable gentleman ought in candour to have communicated his intentions to the noble lord, and even to have ensured the support of others previous to his laying before their consideration in the House an unexpected proposition on an occasion when it was so peculiarly desirable that there should be entertained and manifested but one common and universal feeling. Had the object of the honourable gentleman been submitted to their original option, he, for one, would have given it his unqualified support. He felt, however, that government had had in this instance, a difficult as well as a painful task to perform. They had so to devise and frame the measure which they offered to the consideration of parliament, as to make it subservient to two different ends; the first in consulting the national feelings and just claims of individuals, and the second in procuring the cordial and unanimous suffrage of the House. But he felt, that if he himself were now to become a party to the proposition of the honourable gentleman, he should render himself equally liable, with others, to the imputation of having taken an unfair advantage. It was therefore his intention to vote for the noble lord's amendment; but in the event of that amendment being negatived, he did not consider himself precluded from exercising his discretion with respect to the motion of the hon. gentleman, under the circumstances in which it would then come before them.

Mr. *W. Smith* expressed great personal feelings of regard for the memory of Mr. Perceval, a feeling which was certainly not diminished from the circumstance of his having received almost his last breath. He thought, however, that after the proposition of ministers on the subject had been unanimously acceded to by the committee, it would be unwise to overset it by alterations which appeared to him to have no specific limit. For if it were once allowed to any hon. member to disturb the original proposition, others might be disposed to follow the example, and he who proposed the largest grant might probably meet with the greatest support. It would be wiser for the committee to be satisfied with what they have already done.

Mr. *Simeon* declared, that he did not think the House would redeem the pledge which they had given in the Address to the Prince Regent if they satisfied themselves with what had already been done. After all their acknowledgments of the services rendered to the public by Mr. Perceval, how could they entertain the probability that the representative of his family might be turned out into the world with not a shilling more than 4,000*l.* in his pocket? Although he had generally supported Mr. Perceval's measures, he had never been personally obliged to him; but he should think himself deficient in duty, and negligent of the pledge which he had already given on the subject, if he did not concur in a proposition, the object of which was simply to keep Mr. Perceval's eldest son from the danger of want.

Mr. Secretary *Ryder* opposed the additional resolution, although by no means on the ground taken by an hon. gentleman, that to adopt it, would be to imply the approbation of the House of the political opinions of his lamented friend, but for the purpose of securing unanimity.

Sir *J. Sebright* declared, that all must concur in lamenting the loss which the country had sustained in the talents and virtues of Mr. Perceval. He must however, support the amendment of the noble lord. If it were possible to obtain Mr. Perceval's own opinion on the subject, did the House suppose that he would hesitate for a moment in preferring the smaller grant with unanimity to the larger with a division? He would stand up to plead the cause of Mr. Perceval's children, as he would stand up to plead the cause of his own; but he would be sorry, if by perseverance in the motion before the committee, the hon. gentleman should endanger that unanimity which would be so truly honourable to them.

Mr. *Sumner* observed, that the question of the honourable baronet ought to have been not how Mr. Perceval would have proposed to remunerate his own services, but how he would have proposed to remunerate the services of others. However desirable unanimity might be, he could not forget that unanimity would not give bread. Notwithstanding all that had been said, he was persuaded that those who voted against his proposition, would one day have the painful reflection of not having liberally done their duty. He certainly must allow he had not been an individual of sufficient consequence to consult on the arrangement that had been made out of the House, but really he did not see why the committee were bound to receive a cut and dried proposition, and to say nothing but "yes" to it. He entertained a great respect for those by whom the arrangement to which he alluded had been made; but there were two ways of considering the question, and his view of it happening to be different from theirs, he should certainly press the adoption of his resolution on the committee.

Sir *G. Warrender* was anxious that the annuity of 2,000*l.* to Mr. Perceval's eldest son, should commence not on the death of his mother, but when he should attain the age of twenty-one.

Mr. *Sumner* declined varying the form of his resolution, as so many honourable gentlemen had expressed their determination to support it in its present shape.

General *Loft* observed, that Mr. Perceval had died in the prime of life. If he had lived twenty or thirty years longer, he would have left his eldest son in a situation that might have enabled him to transmit to posterity the name of Perceval, with all the dignity that ought to belong to it. He would vote for the resolution.

Mr. *Tierney* assented to every syllable of praise that had been uttered in commendation of the private and public merits of Mr. Perceval, whom he had long known and sincerely esteemed. He agreed too with the hon. gentleman (Mr. Sumner) that it was the duty as well as the privilege of a member of parliament, to consider every proposition entirely on its intrinsic merits, and not in the light of from what quarter it proceeded. He thought, however, that the resolutions of the noble lord were in this instance rendered acceptable by its being understood that they were in unison with the wishes and feelings of the unfortunate individuals whose interests were concerned. He sincerely hoped that there would be no division, for he begged to remind gentlemen, that if it were unpleasant now, they might be yet in a more unpleasant predicament hereafter. Many members had left the House under the persuasion that they had voted all which they would be called upon to vote, and might naturally be disposed to dispute the progress of the additional grant in every stage. He confessed he thought the House had already done enough to signify their abhorrence of the atrocity committed, and as much as in the present circumstances of the country they ought to give to any individual whatever. It appeared to him that one resource had been entirely overlooked, he meant the pension list, and he could entertain no doubt that the Prince Regent would feel every disposition to promote the interests of Mr. Perceval's family.

Mr. *Rose* supported the amendment, on the ground that the resolution opposed the former general understanding on the subject.

Mr. *Stephen* supported the resolution.

Mr. *Bathurst* stated that he would vote for the amendment.

Admiral *Harvey* asked, if any accident were soon to happen to Mrs. Perceval, what would be the situation of Mr. Perceval's eldest son? He would actually be without the means of obtaining such an education as would qualify him for a liberal profession. He must vote for the additional grant.

The Committee then divided—

For lord Castlereagh's Amendment	67
Against it	107
Majority	—40

Mr. Sumner's resolution was then put, on which the Committee again divided—

For the Resolution	136
Against it	23
Majority	—113

The House then resumed.

On the question that the Report be brought up to-morrow, a desultory conversation took place with respect to the probability of a discussion on the third resolution, which might extend to such a length as to encroach on the time at which the House were to wait on the Regent with the Address.

The *Speaker* suggested, that in that case the two first Resolutions might be agreed to, and the Report ordered to be taken into further consideration at a subsequent period. It was consequently ordered that the Report should be brought up to-morrow.

COMMITTEE ON THE ORDERS IN COUNCIL.] The House then went into a committee on the Orders in Council, and proceeded to the examination of witnesses; when Mr. Leach and Mr. Drayton, from Leicester, were examined, after which the other orders of the day were disposed of, and the House adjourned.

HOUSE OF LORDS.

Thursday, May 14.

The House met about half past one o'clock. A considerable number of lords attended, all of whom (with the exception of one or two) were either dressed in full court suits of mourning, or in military uniforms with crapes round their arms.

Their lordships, very soon after prayers, adjourned till half past three, and proceeded to present their Address to the Prince Regent.

About a quarter before four the House resumed, and again had prayers.

The Lord Chancellor read the Answer of his royal highness the Prince Regent to the Address of the House, stating the satisfaction of his Royal Highness at the concurrence of the House in enabling him to make a provision for the widow and family of Mr. Perceval, for which they had a just claim on the liberality of the public, and lamenting that the life of Mr. Perceval, whose public and private virtues so eminently entitled him to regard and esteem, should have been prematurely abridged by the hand of an assassin.

Mr. Sutherland presented an account of the emoluments of the office of Gentleman Usher of the Black Rod for the last ten years, which was ordered to lie on the table. And Mr. Hill, from the Treasury, presented an account of monies raised for the public service, which was ordered to be printed.

After reading two or three private Bills, the House resolved itself into a committee on the Orders in Council.

Mr. Josiah Wedgwood, of Etruria, in Staffordshire, Mr. Stevenson also, a potter of Staffordshire, Mr. Potts, of Birmingham, and other witnesses, were examined.

Soon after nine the House resumed, and after ordering the examination of witnesses to recommence to-morrow at two o'clock, adjourned till to-morrow

HOUSE OF COMMONS.

Thursday, May 14.

PRINCE REGENT'S ANSWER TO THE ADDRESS RESPECTING THE ASSASSINATION OF MR. PERCEVAL.] The Speaker took the chair at two o'clock, and shortly after nearly 300 members were assembled, most of them in full court-dress, officers in naval and military uniforms, with crapes round their arms, and the ministers in mourning. After a considerable pause,

Lord *Castlereagh* moved, that Mr. Lushington have leave to report from the committee of the whole House, upon the Message of his royal highness the Prince respecting the provision for the widow and family of the late right hon. Spencer Perceval.

Mr. Lushington appeared at the bar with the Report. On the question for bringing it up,

Mr. *H. Sumner* rose, and observed, that after he had quitted the House the preceding evening, he understood an arrangement had been made upon the subject of the provision for the family of the late Mr. Perceval, to which he could not give his consent. The two first Resolutions (three having been come to by the Committee) had passed without any objection, but the third, which he had the honour to propose, had been postponed for further consideration. Thus giving to that Resolution, which had met with the concurrence of a large majority of the House, a doubtful aspect. The operation of the postponement would have the effect of disparaging that Resolution, and if, in proposing it he had merely stood in the situation of an insulated individual, he should have considered himself bound to protect his motion, but he stood in a very different light; he was protected and supported in it by a majority of from six or seven to one in its favour. If the Report was now brought up, and any objection should be made to the third Resolution, he should feel the necessity for pressing the House to a division on its adoption or rejection.

Lord *Castlereagh* had no objection to the Resolution, at least, he had been friendly for unanimity on the occasion, and he trusted the hon. gentleman would see how desirable it was. At present, as the House was waiting to go up with the Address, it might be as well if the Report was brought up, and then after the assembly of the House at five o'clock, on the return from Carlton House, should any difference of opinion arise, the Report might be discussed.—The Report was then brought up, and ordered to be taken into further consideration at five o'clock.

The Speaker then acquainted the House that the time was arrived for going up with the Address; accordingly, the House adjourned till five o'clock, and the right hon. gentleman, accompanied by lord Castlereagh and Mr. Ponsonby, (the mover and seconder) and the whole of the House, proceeded in their carriages to Carlton House.

Soon after five the gallery was re-opened, when the Speaker stated, that the House, in pursuance of its resolution, had waited upon the Prince Regent with the Address, to which his Royal Highness had been pleased to return the following most gracious Answer.

"Gentlemen,

"I receive with great satisfaction the assurances of your intention to enable me to make a suitable provision for the widow and family of the right hon. Spencer Perceval.

"The liberality and justice of parliament can never be more beneficially displayed, nor my own inclinations more gratified, than in marking, in the most distinguished manner, the sense which is entertained of eminent public and private virtues, most unfortunately snatched, by an act of peculiar atrocity, from the service of the country."

PETITIONS OF THE SHIP OWNERS OF NORTH SHIELDS—SUNDERLAND—AND LONDON, RESPECTING THE ORDERS IN COUNCIL.] A Petition of several Ship Owners residing in the town of North Shields, was presented and read; setting forth,

"That the petitioners have perceived, from the votes of the House, that various Petitions have been presented, praying a repeal of his Majesty's Orders in Council of the 26th of April, 1809, and that the same have, by the House, been referred to the consideration of a committee; and that the petitioners most respectfully beg leave to state to the House, that the repeal of those Orders would, at best, only afford a partial relief to some of the manufacturers of this country, whilst the same would be extremely prejudicial to the general interests of the empire; and that the petitioners are sensible of the difficulties the commercial interests of this kingdom labour under at this time, and also feel the pressure as much as any of their fellow subjects, but rather than give such a decided advantage to our enemies, as the repeal of the Orders in Council would most assuredly do, the petitioners are willing even to suffer greater privations; and praying, that the House will not adopt any resolutions inconsistent with the continuance of the restrictions imposed upon the trade of neutral states by the said Orders of his Majesty's Council."

A Petition of the ship-owners, merchants, and other inhabitants of the port of Sunderland, was also presented and read; setting forth,

"That the petitioners understanding that several Petitions have been presented to the House praying the repeal of his Majesty's Orders in Council, of the 7th Jan. 1807, and the 26th of April, 1809, and that a committee of the whole House has been appointed to consider these Petitions, feel that they should be wanting in duty to their country if they omitted humbly to express to the House, that they conceive these Orders are just and necessary, as retaliatory measures to the system adopted by the enemy for the destruction and ruin of the commerce, shipping, and manufactures of the British empire, and which Orders appear to the petitioners to be already operating most powerfully to produce those effects which they conceive to have been in the contemplation of his Majesty's government; and that the petitioners have seen with the deepest concern the attempts which have been too successfully made in some of our manufactories to mislead industrious workmen, by persuading them to ascribe their sufferings to the necessary and indispensable measures of his Majesty's government, instead of imputing them to those unjust and violent decrees of the enemy, which if not strenuously resisted by this country, could not fail to effect the destruction of its most valuable interests; and the firm conviction of the petitioners is, that the expression of discontent, which in some instances has been excited, is directly calculated to favour the views, to strengthen the power, and to encourage the hostility of our inveterate foe; and praying, that the House will not adopt any measures for the purpose of inducing his Majesty to rescind the Orders in Council until the enemy shall have effectually repealed his Decrees, and suffered the trade of neutral nations to resume its legitimate course."

A Petition of several merchants, ship-owners and traders residing in the port of London, was also presented and read; setting forth,

"That the petitioners, understanding several Petitions have been presented to the House, praying the repeal of his Majesty's Orders in Council, of the 7th of January, 1807, and the 26th of April, 1809, and that a committee of the whole House has been appointed to consider these Petitions, feel that they should be wanting in duty to their country if they omitted humbly to express to the House the opinion which in common they believe with the great body of merchants of the United Kingdom they entertain upon that most important subject; and that the petitioners have, from the first promulgation of those Orders, viewed with approbation the just and necessary retaliatory measures which have been opposed by his Majesty to the lawless and unprecedented system adopted by the enemy for the destruction of the commerce and manufactures of the British empire; and that, although the measures of force and violence to which the emperor of France had recourse, immediately after the peace of Tilsit in July, 1807, to enforce his Decree of Berlin of November, 1806, followed up by measures of the same description (before any retaliation by the British government), have had the obvious tendency, at intervals, of diminishing and interrupting our trade to several of the ports of Europe; yet, subsequent to the Orders in Council, and, as the petitioners believe, owing in a great measure to those Orders, they have seen it continue to flourish to a great extent since the issuing of the two most hostile Decrees, while the trade, the manufactures, and the navigation of France and Holland have been almost annihilated: they trust, therefore, that, by a perseverance in the present system, as just as it was wisely adopted, the enemy will be obliged to abandon these new principles of the law of nations, which as well with a view to the destruction of our commerce as of our national strength and independence, he has in vain endeavoured to establish; and that the Petitioners have seen, with the deepest concern, the attempts which have been too successfully made to mislead great numbers of industrious and meritorious workmen in different manufactures, by persuading them to ascribe their sufferings to those necessary and indispensable measures of his Majesty's government, instead of imputing them to those unjust and violent Decrees of the enemy, which, if not resisted by this country, could not fail to involve in irreparable ruin every valuable interest which belongs to us; and that the Petitioners have full reliance in the wisdom of the House, and persuade themselves that the House will weigh with due attention the interests of every part of the empire, confident that the Orders in Council before referred to, notwithstanding any partial distress which may at present be experienced, will afford the best prospect of ultimately removing that distress, by compelling the mitigation or the repeal of the French decrees, and the restoration of the ancient system of commerce and war; and that the petitioners humbly conceive, that if the Orders of Council are repealed, the natural result will be the opening of the trade to the continent to neutrals, whereby France, and the countries under her controul, will receive ample supplies of raw materials for the use of their manufactures, as well as of foreign colonial produce, which being paid for, in many instances, in the produce and manufactures of France and those countries, such manufactures would necessarily find their way to the markets of the United States, South America, the Mediterranean, the West Indies, and elsewhere, which are now supplied with British manufactures in British bottoms; and praying, that the House will not adopt any measures for the purpose of inducing his Majesty to rescind the Orders in Council until the enemy shall have effectually repealed his hostile Decrees, and suffered the trade of neutral nations to resume its legitimate course."

Ordered to lie upon the table.

Petition of the Clothiers of Gloucester respecting the Renewal of the East India Company's Charter.] A Petition of several clothiers and other persons interested in the woollen trade to India and China from the county of Gloucester, was presented and read; setting forth,

"That the petitioners are woollen manufacturers, and other persons interested in the woollen trade, residing in the county of Gloucester; and that a very large and populous district of that county has for a long period of time been chiefly employed in manufacturing goods for the East India Company; and that the said county has by its skill and industry, after a long, active, and successful competition, acquired the Company's decided preference; and on many occasions the directors have shewn a very kind feeling towards the situation of the labouring poor, and an honourable consideration for those who have been long employed in manufacturing for them; and that the experience of the past conduct of the Company towards the Petitioners gives them the best founded expectation of the future; nor could there be any reason to expect a like liberality, or a similar preference, on the part of private adventurers; and that the opening of the trade to the East would not only be productive of severe deprivations to the petitioners, and of entire ruin to many thousands of industrious families, but there is also reason to believe a great proportion of the present export of British manufactures would be lost not only to Gloucestershire but to England; and that, whilst the probable ruin of their immediate interests, and those of the work people whose fate and fortunes must rise or fall with the petitioners, be a nearer and more domestic calamity, yet, as good members of the state, the petitioners feel no small apprehension of the dangerous political consequences which may result from a change of system, consequences involving nothing less than the subversion of British power in India, and the loss of a large revenue, which must be supplied by new internal burthens; and that, impelled by these pressing motives, by the hope of preserving to themselves the means of honourable industry, and of saving our manufacturing poor from the extreme of wretchedness and want, the petitioners pray, that, on any renewal of the East India Company's Charter, their exclusive privileges may be continued to them as heretofore."

Ordered to lie upon the table.

Monument to the Memory of Mr. Perceval.] Lord *Clive* gave notice that he should to-morrow move an humble Address to his royal highness the Prince Regent, praying that he would be graciously pleased to give directions for erecting a Monument to the memory of the right hon. Spencer Perceval, in the cathedral church of St. Peter, at Westminster.

Prince Regent's Message respecting the Family of Mr. Perceval.] Lord *Castlereagh* moved the further consideration of the Resolutions of the committee, for providing for the family of the late Mr. Perceval.

Mr. *C. Adams* wished to make a few observations upon the subject. He had not had the honour of an intimate acquaintance with the late lamented right hon. gentleman whose family were the objects of the present motion, but for the public and private virtues of that distinguished man he entertained the highest admiration, although they had been so ably pourtrayed by gentlemen more capable than himself, that he could not add any thing to the testimony so justly bestowed. But it was impossible to recollect the tragedy of Monday without emotions which could not entirely subside—a tragedy which had awfully snatched away from the scene of life, a man so eminently qualified for his public station, and borne him to the silent grave. With respect to the grant—and for this he principally rose—he thought the House would not act up to the professions which they so unanimously evinced on Tuesday, if they did not make an ample and liberal provision for the eldest son of Mr. Perceval. He lamented that the noble lord, when he originally brought the provision under the consideration of the House, had not proposed to double the grant. If he had proposed 100,000*l.* instead of 50,000*l.* he was sure the House would have acceded to the proposition unanimously. Sure he was that the right hon. gentleman (Mr. Ponsonby) who seconded the motion, would have employed his eloquence in recommending the larger grant.

Lord *Castlereagh* reminded the hon. gentleman, that his observations applied to the third Resolution, and the two first had not been disposed of.

The first and second Resolutions were then read, and agreed to *nem. con.* On the third Resolution being read,

Mr. *Huskisson* rose, and said, that unanimity was certainly a most desirable object on the present occasion: but if that benefit was to be departed from, it should be for the sake of a more effectual assistance than that proposed in the 3rd Resolution. It was there resolved that on the demise of Mrs. Perceval, the annuity should descend to the next male heir. It was impossible to conjecture when the event of Mrs. Perceval's demise might take place: it might not be till the eldest son was considerably advanced in life, and when perhaps he might not be in much need of assistance either from the circumstances of fortune, or from wealth derived from the exertions of his own talents and industry. This was not the situation in which the House would wish to place the eldest son of Mr. Perceval. Those who knew that youth, could bear witness that he succeeded not merely to his father's name, but also to his splendid talents. He was now prosecuting his studies at one of the universities; and when he left that seat of learning he might choose either to follow his father's profession, or, induced by an honourable ambition, wish to devote himself to public life. But he would ask, was the provision of 200*l.* sufficient to maintain him, with due attention to his rank in life, even in the pursuit of his studies? Would it enable him to preserve such a rank as would afford him a fair chance of success in the profession which he might choose? If he was properly and consistently maintained, it must be at the expence of Mrs. Perceval, or out of the funds appropriated for the rest of the family. But was it to be supposed that Mrs. Perceval could, without great inconvenience, afford such means of support to her son? If, then, unanimity was to be departed from, something effectual should be done. He understood that the son was now nearly of age, and he thought it would be proper to furnish him immediately with the means of pursuing his studies with effect, and subsequently his profession. He felt a difficulty in proposing any specific sum; perhaps the House would please to confer 1,000*l.* a year, but it ought to begin to accrue immediately, or at least from the time of the young man's coming of age. This provision he thought far more efficient and useful than that proposed by his hon. friend in the third Resolution. He wished however, that some other member would undertake to direct the feelings of the House into their proper course.

Sir *A. Piggott* thought it necessary to call the attention of the House to the wording of the Resolution. It appeared to him to be the intention of the hon. gentleman who moved it, and of the House in agreeing to it, that this annuity should go to a son of Mr. Perceval. The Resolution, however, proposed to provide for "the male descendant of Mr. Perceval, being the heir at law." Now it might happen, that the legal heir to Mr. Perceval might be his grandson, and the son of a daughter; and he would therefore move that the following words be inserted, viz. "Such heir at law being the descendant of a son."

General *Mathew* expressed himself warmly in praise of the private and public virtues of Mr. Perceval. Notwithstanding he had constantly opposed his political measures, yet he deplored his untimely loss as much as any man, and he would cordially give his vote for 2,000*l.* a year, to descend to his son.

Mr. *Huskisson* proposed that the Resolution be recommitted, and therein to grant 1,000*l.* a year to the eldest son on his coming to the age of 21: without any prejudice to his reversionary right in the sum already voted by the House.

The Hon. *J. W. Ward* thought the arguments which the hon. gentleman (Mr. Huskisson) had used, might with equal propriety apply to the other sons. When he recollected this, and further, that the sums originally proposed had been proposed by ministers, and had received the approbation of the friends of Mr. Perceval's family, he was bound to support the original proposition.

Mr. *Wallace* declared that in his opinion the young man who was the representative of Mr. Perceval, ought to have every advantage which the country could give him. Yesterday evening he had voted for the Amendment of the noble lord, because he was desirous of preserving unanimity; but as the House had decided by a large majority, against that Amendment, he felt himself at liberty to give way to his feelings for the memory of his much lamented friend, and in testimony of the high regard in which he held his virtues and talents, he was ready to vote for any additional grant that might be proposed.

Mr. *W. Smith* came down, determined not to oppose what so large a majority of the House had last night declared to be their opinion. He was nevertheless convinced of the danger of opening the door to any extended vote. He regretted that the personal character of Mr. Perceval's son had been introduced into the discussion, as it was wholly irrelevant to it, and those early praises of his talents might prove prejudicial to him in his future life. Two appeals had been made to the House—the one to their feelings, the other to their judgment. They had answered the first by expressing in words, as strong as the British language would afford, their detestation and abhorrence of the crime that had been committed, and their sense of the public and private virtues of the individual on whom it had been committed. When they came to the provision that was to be made for the family of that individual, their judgment was necessarily to be consulted. For his part, he thought it would be wise to postpone the consideration of the subject for a week, when the House would be more cool upon it. The necessity had been urged of making a handsome provision for Mrs. Perceval, and all the family; there were many differences of opinion as to what was a handsome provision. Under all the circumstances of the case, he did not see the necessity.—All that he thought the House bound to do, on the spur of the occasion, was, to vote something, to shew their sense of abhorrence of the late horrid transaction, without entering into any nice disquisition into what might be the cost of the education of Mr. Perceval's children. For the reason, however, which he had assigned at the commencement of his speech, he should refrain from voting on the present question.

Mr. *William Fitzgerald* observed, it would not be denied that the merits of Mr. Perceval were greater than those of any man who ever yet filled the same office. He had the singular merit of leaving his family, after five years of administration, poorer than they would have been had it been his fate to have been carried off before becoming minister of the country. Had he advised his sovereign to confer on his son the office of Teller of the Exchequer, which was lately conferred on another, it would have been an act perfectly justifiable, and which few persons in his situation would not have done. He would have done this, had he followed the conduct of lord Sidmouth on a similar occasion, which he did not mention for the purpose of censuring. Mr. Perceval was, in fact, the only minister of the country whose fortune had been ruined by his public services; and the question properly before the House was, whether a public functionary was to be ruined by having dedicated himself to the service of his country and his sovereign. Much had been said about unanimity. He considered that unanimity was not abandoned as to the principle of the vote. All were of opinion that the family of Mr. Perceval had a claim on the country, and the only difference which existed was as to the amount of what ought to be bestowed upon them. It would be very singular indeed, if the understanding of a minority of the House were to be binding on so great a majority as appeared from the vote of last night. He implored the House to do something to repair what was reparable in the unfortunate situation in which the family of Mr. Perceval were now placed. They could not give back a father to his children, but it was at least in their power to place those children in a situation above the reach of want.

Mr. *Tierney* lamented that an occasion for a discussion should have been introduced which made it necessary for him to take a part extremely painful to his feelings. The present was, he must say, a very unusual mode of proceeding. It was certainly very unusual to give an annual grant to one child during the life of a parent in possession of a similar grant, when a provision had been already given to the whole of the children. He thought the present was altogether an improper time for the discussion of this question. He thought that some time ought to have been allowed, previous to entering upon the consideration even of the first proposition; but what took that case out of the general rule, was the universal acquiescence of the House in its propriety. In his opinion no business whatever ought to be proceeded in for a week at least. In the course of a week he might satisfy himself, by conversation or otherwise, as to the propriety of acceding to or voting against this new proposition. He wished to have this time for the satisfaction of his own feelings. [A murmur of disapprobation from the opposite part of the House.] Surely he had as good a right to gratify his feelings as the hon. gentlemen had to gratify theirs. Could any gentleman state an instance when a proposition for a grant of public money was submitted to the House, at a time when there was no First Lord of the Treasury, or Chancellor of the Exchequer, consequently when the country was without an administration?—Was it proper in this House, to avail themselves of such an interval, to vote a large sum of the public money merely under the influence of feeling? What harm, he would ask, could possibly result from this delay? Could the hon. gentleman who made the proposition entertain a doubt that the merits of Mr. Perceval would survive one week in their recollections? There did appear to him something wrong in voting away the public money in the present situation of the House. He was aware, when he said this, that the finance minister's opinion was not an infallible rule to guide the opinion of the House: but it would be allowed that it always had been considered decorous to entertain no general business, much less to vote away the public money, in his absence. He should therefore move that the further consideration of this Resolution be postponed to that day se'nnight, and if, after the recess, he should find himself compelled to vote against it, it would be a satisfaction to his own mind that he had not done so without the maturest consideration.

Sir *G. Warrender* opposed the postponement, saying, he could only consider the Resolution of to-night an extension of the original grant of the House; and the principle of the right hon. gentleman, therefore, in his opinion, applied equally to the original measure. Mr. Perceval had left his family in a worse situation than if he had never been the minister of the country. He thought the situation of the eldest son was more to be pitied than that of any other person of the family. Possessing, as the House were told he possessed, the most promising talents, was he to be precluded from entering that House, if he was so inclined, as an independent man? He had always in that House voted against Mr. Perceval, but he would not be doing justice to his own feelings, if he did not express his approbation of the Resolution now under discussion. This was the expression of his own feelings, and he was sure he was only expressing the universal feeling of the country, when he wished to see the son of Mr. Perceval placed in such a comparative state of independence as would enable him to tread in the steps of his father.

Mr. *Tierney* in explanation declared, that he would have objected to the original vote, if he had not found the House unanimously disposed in favour of it.

Mr. *Whitbread* said, although he might on a division vote in favour of the postponement, he had not the smallest hope that any additional time would alter the adverse opinion which he now entertained of the Resolution under discussion. He could not help adverting to the allusion which had been made to what had been called an understanding among some members of the House, and made in such a way as to insinuate that something like an improper interference had been used by those members. He owned a communication had been made to him by a noble lord opposite, of what was intended to propose to the House, for the family of Mr. Perceval, but this could not be considered in the light of any arrangement on the subject. He believed he would have credit with his political adversaries, when he said, that it was with great pain he entered into the present discussion. He felt, what he believed was strongly felt by all, an abhorrence of the late atrocious and disgraceful deed, and he thought it was the duty of the House to manifest their sentiments on such an occasion, by making such a provision for the family of Mr. Perceval, as had been originally submitted to the House.—But when it was proposed to go beyond this, he could consider it in no other light than as a reward for political services; and he should be a traitor to his country, and be declaring loudly that the opposition which he had always maintained to the measures of the present administration, was nothing more than mere empty profession, if he did not loudly protest against such a reward. Without wishing to say any thing unpleasant, he would ask, if it was not reward, what was it? What was the career of Mr. Perceval? His career was altogether of his own selection. He obtained a seat in that House by honourable means; but if he took a seat in the House and afterwards accepted of the situation of prime minister, it was altogether his own selection. He might have accepted it, or have refused it; he could not be compelled to quit the bar. They had heard a great deal said respecting the lucrative situation which Mr. Perceval quitted. His information on that subject was somewhat different. He had been told that lucrative judicial situations had been offered to Mr. Perceval, and that he chose rather to retain the situations which he held at his death. He thought the mention which had been made that night of the abilities of the eldest son of Mr. Perceval, of which the House could know nothing but from report; and the intention of making him independent at the age of 21, were only calculated to injure the young man. If this was not a reward for political services, he was entitled to enquire into the situation of the family. He was told that Mrs. Perceval possessed an income of 2,000*l.* per annum independent of the grant of parliament; so that the interest of the provision of 50,000*l.* with this private fortune, and the annual grant of 2,000*l.* would constitute an income of 6,500*l.* for the purpose of maintaining and educating this family. Would any country gentleman, with such an income, consider it inadequate to educate his family to any profession or situation in life whatever? He understood the House was to be called upon to-morrow to vote a monument for Mr. Perceval. These things grew upon them very fast. He would conclude with solemnly protesting against the additional grant.

Lord *Binning* said, that it was impossible for any one not to be convinced, that the hon. gentleman who spoke last acted on this occasion entirely from his sense of public duty, and with great pain to his private feelings. It was too late now to set about regretting the cause which yesterday prevented the House from being unanimous. The fact was that the unanimity which had been so much wished for, was broken, and new propositions made on which unanimity was not to be expected. He was surprised, however, that the hon. gentleman should have conceived, that the agreeing to the Resolution would imply an approbation of the political conduct of Mr. Perceval. Every one was agreed that he possessed eminent public virtues, and that his private virtues and amiable qualities endeared him to the hearts of all who knew him. It was universally known that from a sense of duty he had left a lucrative profession, in which there could be no doubt of his being able to provide for his family, and that by devoting himself to the public service he died, leaving his family unprovided for. Good God! was it possible that the House should not take into its consideration the manner of his death? A right hon. gentleman (Mr. Tierney) had reproached the proceedings which had been already taken, as singular and unprecedented: but surely this was no common occasion, and need not be governed by common rules. It was impossible for the House to repair the loss that the family of Mr. Perceval had sustained, but he thought that it was their duty to take care that the loss should be as little heavy as it could possibly be made to every individual of the family.

Mr. *Holme Sumner* could not agree with the argument of the right hon. gentleman (Mr. Tierney,) who thought it was wrong, because it was unprecedented, to grant a sum of money without the presence of a Chancellor of the Exchequer in that House. The case was certainly unprecedented altogether, and he thanked God that there was no precedent of such a case. He could not, however, see any difference in the principle, between voting a sum of public money in the absence of a Chancellor of the Exchequer, and voting a sum in the presence of that minister directly contrary to his advice and opinion, as the right hon. gentleman himself had done in the case of Mr. Palmer. He did not agree with the gentlemen on the other side, either, that more time was required for the consideration of the subject, or that it was a question which should be entirely divested of every consideration of feeling. He thought that the unanimous feeling of the House was contained in their first Resolution, " that they would make a handsome and liberal provision for the family of Mr. Perceval;" but he did not think that they would be carrying that Resolution into effect, if they did not make some provision for Mr. Perceval's eldest son. He allowed that he had worded his Resolution in rather an incorrect manner, for which he must apologize by assuring the House, that he had not intended to have spoken yesterday, but had thought that the proposition would have been brought forward by some person of more weight than himself. As he now found that some gentlemen went farther than his proposition for the benefit of Mr. Perceval's eldest son, he would willingly agree to any amendment for carrying it farther; but could not recede from that proposition which had been yesterday carried by so large a majority. The hon. gentleman (Mr. Whitbread) had said, that Mr. Perceval had left his profession voluntarily. Certainly it was so, for no man could be absolutely compelled to embark in public life; but from a sense of public duty, Mr. Perceval had sacrificed a profession in which his talents and virtues would necessarily have raised him to the highest offices.

Lord *Castlereagh* thought, that he should be doing great injustice to the hon. gentleman (Mr. Whitbread) not to say, that no man had displayed a more warm or generous feeling than he had on the present occasion. He however thought, that, in resisting the vote proposed, the honourable gentleman had given the House an incorrect picture of the actual circumstances under which Mr. Perceval gave up his profession for the public service. As he happened to be perfectly well acquainted with those circumstances, he felt it his duty to declare to the House, that Mr. Perceval made the sacrifice with great regret, and that he did so with a strong impression that he was hardly justified, from what he owed to his family, in making the sacrifice. He acted upon the particular call of his sovereign, which, under the peculiar circumstances of the case, appeared mandatory to a loyal mind. It was well known, however, that the sovereign would not have required any man to sacrifice his profession, or the means of providing for his family, if he had not conceived that it was in his power to give a compensation for the sacrifice required. His Majesty had, therefore, at the time of calling Mr. Perceval to his service, intended to grant him an office (the duchy of Lancaster) for life, as some compensation for the sacrifice to be made in the surrender of his profession. On the House shewing some disapprobation of this grant for life, Mr. Perceval immediately waved that grant, out of which he might have looked for the provision of his family. He must allow that the calamity which had taken place would have made a place for life of no more value to him than one for a shorter time, but still the credit must be given to him of resigning a valuable grant which had been the principal inducement to make him consent to abandon his profession. It must also be recollected that he had many opportunities of providing for his family, by recommending them to places, which he had not availed himself of. He could not agree either with the honourable gentleman, (Mr. Whitbread) in the view he had taken of the value of the sacrifice Mr. Perceval had made in quitting his profession. He was sure that his right honourable friend left it with a very high professional character, which, with the talents he undoubtedly possessed, could not have failed of raising him to such an eminence in his profession, as would have given him abundant means of providing for his family. He believed, that at that time he was not only rising rapidly in his profession, but that he actually enjoyed a very liberal income from it. Now, as to the Resolutions which had been already agreed to, he was authorized on the part of Mr. Perceval's family to say, that they entertained a very grateful sense of the liberality of parliament towards them, and that they were quite satisfied with what was done. It would not be right in them, however, to set up their own judgment against the sense of parliament, if the House thought that a larger provision was more proper; but they wished to express their grateful sense of the liberality of the House in what was already done for them. He still continued of opinion, that what was originally proposed was a fit proposition, considering both the circumstances of the family and of the public. He, therefore, did not feel justified in voting to extend the grant; and yet, as he did not know how to oppose any proposition for the relief of this family, he should not vote upon the present occasion. If, however, it should be the deliberate opinion of the House as well as the committee, that the grant ought to be extended, he should support the Bill that would be brought in pursuant to those resolutions. He could see, however, no advantage in the postponement which had been moved by a right hon. gentleman.

Mr. *Lushington*, having had no opportunity of addressing the House on this interesting subject hitherto, hoped for their indulgence for a few moments.—He could not coincide in the objection made by a right hon. gentleman, (Mr. Tierney) to the grant on the ground of want of form, for he was not aware that there was any rule of the House requiring that the Chancellor of the Exchequer should make the proposition. It had been regularly introduced to the House by a message from the throne brought by a minister of the crown. He could not help thinking also, that the arguments used against the Resolution from an extreme desire of unanimity might be dispensed with, when it was recollected that five-sixths of the House concurred in it, to whom it was more decorous that the remainder should concede, if they wished for unanimity as much as they professed.—He would mention a circumstance deeply calculated to impress the feelings of the House. He was present at that moment of agony and sorrow when lord Arden came into the room where the remains of his beloved brother lay; and laying his hand upon his body, exclaimed, in accents too affecting to be forgotten, "He is gone to that happiness which he merited, but his children—his dear children, what will become of them!" An hon. gentleman who was present, with great feeling and readiness said, "My lord, be comforted, they are the children of his country."—He trusted that that declaration would be verified, and that the liberality of parliament would protect them in a manner adequate to the occasion.

Mr. *Huskisson* declared, that he did not wish to appeal to the passions or the feelings of members, but to their deliberate judgment. He could not but think that some distinction ought to be made between the eldest son bearing the name of Spencer Perceval, and the younger children. There was this distinction in point of fact, that the eldest son was just of an age to be sent to the University, in order to receive that liberal education which his father always intended for him. Now, if no other provision were to be made for him, he would ask, how would it be possible for him upon 200*l.* a year to associate in the University with persons of his own rank in life, or to enter a liberal profession? The younger sons might learn to accommodate their views and prospects to their situations; but if the eldest son, who was just on the point of entering the University, was now reduced to a provision of 200*l.* per annum, it would be he, in fact, that, of all Mr. Perceval's family, would suffer much the greatest loss. It must be recollected, with what prospects he would have entered the University, had his father lived. It was supposed that he had gone out of his way to praise the promising talents of this youth. He only stated a hope that he might one day shew himself the heir to the talents and virtues of his father; and he would also add to this wish, that he might display those talents and virtues in that House. It would be a natural ambition for the son of such a father, to sit in parliament, and embark in public life. If that should be his wish, he hoped the House would give him the means of coming forward as an independent man.

Mr. *Martin*, of Galway, rose amidst loud cries of question, and said that he supplicated some decent regard to order, if not for his sake, at least for the gravity due to the subject. He then adverted to the arguments against the proposed grant, on the ground of justice, divested of every feeling connected with the peculiar nature of the case. For his part, he thought they were doing nothing but a cold-blooded act of justice, and he would give his vote for this grant as if he were a juror sworn to assess the damages due to this respected family. If they looked at the matter with a view to analogy, they would find that a right hon. gentleman (Mr. Ponsonby) who held the seals in Ireland for four or five months, was remunerated with 4,000*l.* a year—he did not mention this with disapprobation, quite the contrary; but on this principle, he thought it just that the children of a man who lost his life in the service of his country should be taken care of. For himself, he declared that if this vote implied a general approbation of the political conduct of Mr. Perceval, he should protest against it. From that right hon. gentleman, during his life time, he had often differed, and indeed, he did not believe he ever had the honour of pulling his hat off twice to him in his life; but, the present question he conceived to be one which implied the performance of merely an act of duty.

The *Speaker* proceeded to put the question on Mr. Huskisson's amendment for the recommittal of the Resolution, when

Mr. *Sumner* observed, that if the House concurred in the amendment, his Resolution would be lost.

The *Speaker* agreed in the correctness of the hon. gentleman's observation, and said, that the only way to settle it would be to put the question as it now stood, and then the question of postponement, after which the question on the recommittal would come to be decided.

Mr. *Whitbread* observed, that he would not fatigue the House by dividing on the recommittal of the Resolution, but reserve his opposition to the last stage.

The first question was then put, "That this House agree with the committee in the Resolution;" which was negatived without a division.

Mr. Tierney's amendment for the postponement of the consideration of the Resolution for a week, was then negatived; after which Mr. Huskisson's motion, for the recommittal of the Resolution to a committee of the whole House, was carried, and it was finally determined that it should be re-committed to-morrow.

COMMITTEE ON THE ORDERS IN COUNCIL.] On the motion of Mr. Brougham, the House resolved itself into a committee on the Orders in Council, and proceeded to the examination of witnesses, Mr. Whitbread in the chair. Nine witnesses were examined, amongst whom were Mr. John Grundy of Lancashire, Mr. W. Thompson, Mr. Joseph Walker, Mr. Charles Lawson, and Mr. John Oxley, all of the neighbourhood of Leeds. At twelve the House resumed, and the chairman having reported progress, asked leave to sit again to-morrow. Leave was given, and the House adjourned.

HOUSE OF COMMONS.

Friday, May 15.

PETITIONS FROM GLASGOW,—SHREWSBURY,—AND KENDAL, RESPECTING THE ORDERS IN COUNCIL.] Sir G. Warrender presented a Petition from several merchants, traders, and manufacturers of the towns and port of Port Glasgow and Newark; setting forth,

"That the petitioners, understanding that sundry applications have been made to the House for a repeal of his Majesty's Orders in Council, of the 26th of April, 1809, on the pretext of these Orders having injured the trade and manufactures of the nation, the petitioners, under a conviction of little or no injury having been felt, except in the trade with America, but, sensible of the necessity as well as propriety of their having been issued, and that they ought to be continued, as a necessary and wise measure of hostility and retaliation against the enemy, do most humbly pray the House against taking any steps towards the repeal or relinquishment of a measure, the principle of which tends very essentially to the support of the interest of these realms during and in the prosecution of the war, from which they cannot with safety recede until the enemy is reduced to reason."

Mr. Bennet presented a Petition from the merchants, manufacturers, and other inhabitants of the town of Shrewsbury; setting forth,

"That the petitioners are much interested in the export trade to America, particularly in the articles of woollen and linen cloth, flannels and hose; and that they find the American ports closed against them, owing, as they conceive, to the operation of the Orders in Council, whereby a considerable branch of their trade is annihilated, and many goods, peculiarly adapted for that market, remain on hand, without any prospect of sale; and that the petitioners have every reason to fear that, however great their present calamities may be, they are only the prelude to others which they shudder to contemplate; and that, looking upon the Orders in Council as the cause of the present stagnation and distress of their trade, the petitioners humbly and earnestly implore the House to adopt such measures, as to them may seem expedient, for their speedy and complete revocation."

A Petition of the inhabitants of Kendal, manufacturers of a certain quality of coarse woollens, commonly called Kendal cottons, was also presented and read; setting forth,

"That the consumption of Kendal cottons is almost entirely confined to the States of Virginia, Maryland, and North Carolina, in the United States of America; and that the petitioners have, by the continuance of the Orders in Council, been put to very serious inconveniences, from the want of a market for this particular species of woollens; and that they have embarked a very large capital in their different works and machinery, and have continued their work-people nearly in full employment, on account of the generally distressed state of the country, and the difficulty of procuring other work, as well as from the delusive prospects which have occasionally been promulgated, for more than a year, that the restrictions would cease, and which the petitioners are given to understand would have been the case had the Orders in Council been removed; and praying, that such measures may be adopted as to the wisdom of parliament may seem best calculated to open a free channel of commercial intercourse with our American brethren."

Ordered to lie upon the table.

PETITION FROM SHREWSBURY RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Mr. Bennet presented a Petition from the manufacturers, tradesmen, and other inhabitants of the town of Shrewsbury, setting forth,

"That the petitioners are directly engaged, or very much interested in, the manufacture and sale of coarse woollen cloths, flannels, hose and other fabrics, many of which are now exported to the East Indies and to the country north of India; and the petitioners verily believe the export may be much increased were a free trade opened between this country and the East; and they humbly implore the House to adopt such measures, as to them may seem fit, to prevent the renewal of the East India Company's Charter, and to open a free trade to India and to China for all the inhabitants of the United Kingdom, subject only to such restrictions as may be judged necessary to be imposed by his Majesty's government for the preservation of the political interests of India, and for the equitable collection of his Majesty's revenue."

Ordered to lie upon the table.

ORDERS IN COUNCIL.] Mr. *Brougham* stated, that if the committee for the examination of witnesses on the Orders in Council would sit after the business of this day was disposed of, till one or two o'clock in the morning, he thought he could get through all the witnesses whose calls were most pressing to return to their business and homes; and if the House would agree to dedicate the whole of Wednesday next, he had no doubt but he should be able to conclude the examination so far as related to that part of the case which he had to bring forward for the consideration of the House. He supposed, that between next Thursday and next Tuesday fortnight, the 2nd of June, the witnesses on the other side would be done with; and if that should be the case, it was his intention to bring forward his motion on the subject, which he was rather inclined to think would be an Address to the Prince Regent than in the form of resolutions.

Mr. *Rose* had no objection to the mode of proceeding pointed out by the hon. and learned gentleman.

MONUMENT TO THE MEMORY OF MR. PERCEVAL.] Lord *Clive*, in rising to move for an Address to his royal highness the Prince Regent, for a monument to the memory of Mr. Perceval, did not think it necessary to apoligize to the House for intruding himself upon them, supported as he was by the universal abhorrence of the act which had deprived the House and the country of his right hon. and much lamented friend. Encouraged by this consideration, he would venture to state the motives by which he was influenced. He had tried to frame his motion in such a way, as to repel any supposition that it involved a political pledge. It would go merely to state, that the right hon. Spencer Perceval having, in the conscientious discharge of his duty, drawn upon himself the unrelenting animosity of an individual, by refusing to remunerate a private loss by a public grant, had been assassinated within the walls of the House of Commons. He asked for no opinion on the political merits of Mr. Perceval. It would be highly unbecoming in him had he done so. All he asked was a commemoration of his virtues, and a record of the sense which the House entertained of the atrocity of the act by which he had fallen. He only asked the hon. gentlemen opposite to do that which, had a similar accident happened under similar circumstances, to any one of them, he would most cordially and sincerely have done. Of Mr. Perceval it might be truly said that he had injured no man, and that he did good to all whom it was in his power to assist. It might perhaps be permitted him to say, that as long as a single virtuous feeling glowed within his breast, he should think of the crime which had been perpetrated with the utmost abhorrence, and of the object of that crime with the utmost respect and veneration.

The clerk having, in consequence of his lordship's request, read the Resolutions of the House of Tuesday last,

Lord *Clive* moved, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that a Monument be erected in the collegiate church of Saint Peter Westminster, to the memory of the late right hon. Spencer Perceval, First Commissioner of his Majesty's Treasury and Chancellor of the Exchequer, who was assassinated within the walls of parliament; as a mark of the deep sense which this House entertains of his public and private virtues, and of its abhorrence of the act by which he fell; and to assure his Royal Highness that this House will make good the expence attending the same."

Admiral *Harvey* seconded the motion. It appeared to him to be universally admitted that some durable public testimony was requisite to record the abhorrence of parliament of the late atrocious occurrence. What parliament had done already would not go beyond their own lives. He trusted that the decision of the House on the noble lord's motion would be unanimous; otherwise justice would not be done to the public virtues of Mr. Perceval, acknowledged as they had been from all quarters, the sincerity of which acknowledgment he had no reason to doubt.

Mr. *Lambe,* feeling as he did the most sincere regret for the late calamity, could easily conceive the pain experienced by those who were intimately connected with the eminent statesman, of whom the House and the country had been deprived. He had concurred in the former votes not only for the sake of unanimity, but because Mr. Perceval had died unenriched by his important office, and he defied the tongue of malice to impute those votes to any improper motive. It was with great pain, he observed, that he had now a different duty to discharge. To vote a public monument to an individual, was so clear a recognition of his public services, and of the public gratitude due to him, that, having opposed most of Mr. Perceval's political measures, he could not, in the conscientious discharge of his duty, agree to the proposition. Had he even been a supporter of Mr. Perceval's administration, he should not have inclined to bring forward such a proposition. He did not see any thing in the circumstances of Mr. Perceval's death which entitled him to such an honour, in preference to many to whom it had not been granted; among whom were lord Godolphin, sir Robert Walpole, Mr. Pelham, and, in our own times, Mr. Burke, Mr. Windham, and Mr. Fox.

Mr. *Fuller* observed, that if the persons just mentioned by the hon. gentleman had been actually destroyed when in the execution of their duty, and that at a moment when they were engaged in the public service, he could not believe that any House of Commons that ever existed, would have refused to erect a monument to them. Was a monument ever refused to the captain of a ship, or the leader of an army, who fell in the discharge of his duty to his country? Mr. Perceval, whatever might be his political principles, was, at the moment of his death, in the discharge of a great public duty, in which both sides of the House were concerned. He spoke this, as it struck him as a man. He had supported Mr. Perceval's political measures, when living, because he thought they were right, and not because he had any particular intimacy with that gentleman. What was the object to a great nation? All that was asked, was a monument, done by Nollekens, who was the best sculptor, and who would produce a very elegant thing for 4,000 guineas. When good men were suddenly taken from them in such a way, there ought to be some public testimony of their worth. If the hon. gentleman opposite, or the hon. gentleman next to him were suddenly taken away, although he was of very different principles, he would be the first man to propose a monument on the occasion. His was unlettered oratory, which Blair said, sometimes came more forcibly than any feed oratory. He should feel gratified if the motion were acceded to, and he was sure the country would feel gratified too.

Lord *Castlereagh* declared, that if the motion included any political opinion, he should think it a most injudicious proposition. He should be very sorry it were to go to the vote, if it were supposed that he and his political friends were to derive any triumph from its adoption. He should deprecate the motion in that case as turning the House and the country aside from the consideration of all the moral circumstances attendant on the transaction. It was, however, precisely the same proposition as that contained in the original address. It merely testified the abhorrence which the House felt for the crime, and the respect which they entertained (a respect in which his political adversaries had been most forward to join) for the virtues of his lamented friend. He should vote for the monument, only as a memorial of the horrid act, and of the public and private virtues of the individual who was the object of it, without the slightest reference to any political consideration. The circumstances of the transaction demanded a permanent record. Those circumstances were, that a public servant of the crown perished in the service of the state, and as in the service of the state, not less in the service of parliament, at the very entrance into that assembly. He thought they would be most negligent of their duty, if they failed to leave as durable a record as the art of man could produce, to impress itself upon the eyes of the commiserating generation by which they were to be followed. The hon. gentlemen opposite would not abandon a tittle of their political principles, by acceding to the motion. If he thought they would, whatever might be his private feelings on the subject, his respect for them would induce him not to support it.

Mr. *Whitbread* stated his reasons for not being able to concur in the motion. He acquitted the noble mover, and the noble lord, of any intention to entrap into an approbation of Mr. Perceval's politics, those who had been Mr. Perceval's political enemies. Indeed, he knew that it had been the anxious wish of the noble mover, so to reduce the meed of praise which the motion involved, as to concentrate all parties in the House, but that was impossible. To concur in an unanimous vote for this monument, would be to concur in an unanimous approval of Mr. Perceval's public services. It could not be otherwise. Even the gallant admiral had scarcely commenced his speech before he talked of the public services of Mr. Perceval. The interpretation which he (Mr. W.) had given to the vote, would be put upon it after the present fleeting debate was long over. If the monument was erected in consequence of an unanimous vote of the House, it would be said by posterity that those who arraigned all Mr. Perceval's public measures had suddenly abandoned their political opinions, and had concurred in granting to his memory a marked distinction due only to the hero who fell in the cause of his country, or to the statesman who conducted his country to prosperity. He would not trouble the House much longer, for, indeed, while the grave of Mr. Perceval remained unclosed, he did not feel disposed to enter into any thing like political dispute. The House had already recorded their abhorrence of Mr. Perceval's assassination; they had agreed in the eminence of his public and private virtues, and, notwithstanding the durability of a monument, he trusted that the Journals of that House would be still more durable. The page of history would narrate the fact of their abhorrence. It would be a consolation to posterity, that the same page would convey the information that the person by whom it had been committed, was, as far as the subject had been investigated, unconnected with any other. He hoped this would be confirmed. He should consider it his duty to take the sense of the House on the motion. He had never, from the first day, understood it to have been the intention of Mr. Perceval's nearest friends to make such a one. He presumed, therefore, that it originated entirely with the noble lord? (Lord Clive bowed assent.) It did honour, he must say, to the noble lord's feelings; and he trusted that in what he had said, he should not be supposed to have meant any thing in the slightest degree disrespectful, either to the noble lord or to Mr. Perceval's memory. His opposition to the motion was founded on public grounds alone.

Mr. *Canning*, although he wished it had been possible to secure unanimity on the present occasion, yet thought it but common candour to say, that the hon. gentleman had stated his objections to the motion in a way the least grating possible to those who were friendly to it. He had recently induced an hon. gentleman not to press a motion for a public funeral to Mr. Perceval, because he thought that that motion might have been liable to the misconstruction of comprehending parliamentary approbation of Mr. Perceval's political principles. But in his opinion, the present proposition was free from that objection, for care had been taken so to frame it that it should not convey to posterity any sentiment a jot stronger than that which the vote, to which the House had unanimously agreed, expressed. The hon. gentleman seemed apprehensive that when posterity contemplated this monument, they would regard it as a proof of parliamentary approbation of Mr. Perceval's public services, and not as a national concentration of sorrow. He did not think it would ever be so regarded. He did not think so disparaging a sentiment towards the hon. gentlemen opposite would ever be entertained, as to suppose them capable, when an obstacle to their ambition was removed, of heaping tributes upon the dead which they refused to the living. He did not conceive that the result of this motion would be liable to any such misconstruction. He thought that the construction of all who might hereafter look upon the monument (unless indeed it were possible, which it was not, that all historical records should perish, and that monument alone should survive), would be that political animosities had been, as in fact they had been suspended, and that all other considerations had for a time merged in the deeper feeling of sorrow for so lamented an individual, cut off in a manner the most atrocious and almost unexampled. He confessed that he should very much regret, if parliament were to pass lightly over an occurrence which, as it had shocked the present age, ought to be recorded in such a manner, as to excite the horror of posterity. With that view alone, and strictly limiting his intention to that object, he should most certainly give his support to the noble lord's motion. If the gallant admiral had permitted his feelings to betray him into an expression stronger than the immediate circumstance allowed, that was no argument against the motion. Even the hon. gentleman himself, at the moment when he was most anxious to guard himself from any supposed concurrence in the motion, used the words "public virtues," as applicable to Mr. Perceval, and yet those were the identical words included in the vote.

Sir *G. Warrender* agreed with an hon. gentleman who had said, that Mr. Perceval's character would be to him a monument more durable than marble. He thought the best epitaph was pronounced upon him by the hon. gentleman (Mr. Whitbread) who said, that he never carried his political resentments beyond the doors of that House. He concurred heartily in the motion of the noble lord, without conceiving that he was thereby guilty of any dereliction of those political principles which he had always professed.

Mr. *Lockhart* said, that although it was not to be expected that all men should be agreed in the estimation they put on the public services of Mr. Perceval, there were some public virtues which he eminently possessed that all must allow him. Great zeal for the public interest, great diligence in the public service, an incorruptible purity of intention and integrity, were virtues which every body must allow were possessed by Mr. Perceval. These acknowledged public virtues, added to his private ones, were, in his opinion, sufficient, under the circumstances of his death, to entitle him to the monument proposed; and he was sure that in acceding to the motion the House would only concur with the best sense of the country.

Sir *Charles Burrell* declared himself to be in favour of the motion.

Mr. *C. W. Wynn* observed, that there was no instance on the Journals in which a monument had been voted to the public or private "virtues" of any individual. In the cases of lord Chatham and other great statesmen who had been honoured with a monument at the public expence, this honour had been conferred as the reward of long and successful administrations. He could not, by any means, think that the services of Mr. Perceval were of such a nature as to be entitled to that honour, if it were not for the atrocious occurrence which terminated his life. Lord Rockingham and many other illustrious statesmen (whom he could not avoid considering as having superior claims to Mr. Perceval) had no public monuments erected to their memory. The case was widely different when great military and naval commanders expired in the moment of victory: in those cases there could be no doubt as to the value of their services: but if a monument were erected to commemorate the manner of Mr. Perceval's death, instead of a monument of honour to him, it would be a column of infamy for his murderer. It would perpetuate the memory of an action which if possible he wished might be covered with oblivion—

> "Excidat illa dies ævo, ne postera credant
> Sæcula, Nos certe taceamus, et obruta longâ
> Nocte, tegi gentis patiamur crimina nostræ."

Lord *Milton* deeply regretted, that he felt himself obliged to object to the motion of his noble friend. He could not, in his own mind, separate the vote of a public monument from the idea of public services. It had been said, that this was the most durable mode of expressing to after ages their abhorrence of the atrocious crime which had been committed within the walls of that House. In that point of view he could not think it necessary, as every virtuous mind must at all times feel the utmost abhorrence at such an odious transaction. To express this abhorrence there was no occasion for,

> "Moumentum ære perennius,
> "Regalique situ pyramidum altius,"

He acknowledged most sincerely all the private virtues of Mr. Perceval, and allowed him all the praise of sincerity and integrity; qualities which could not be too highly valued in a statesman. The monument, however, which was proposed, was not so much to the virtues of Mr. Perceval, as to commemorate the vices of the person by whom he was destroyed. In the case of the duke of Buckingham, who had been assassinated like Mr. Perceval by an individual who fancied he had been ill used, no public monument had been erected. He could not, therefore, agree to the present vote.

Lord *Desart* spoke in favour of the monument. He thought that the present question ought not to be determined by precedent, but on its own peculiar circumstances. It submitted itself to all the honourable feelings of the human breast. If the murderer was able in a moment to extinguish all those public and private virtues and qualities which had been so universally admired in Mr. Perceval, he ought not to be allowed to put an end to the power of parliament of expressing its grateful and lasting sense of those virtues.

Mr. *Wilberforce* gave his most hearty assent to the proposition for a monument, though he was far from thinking that the glory of his right hon. friend should be looked for in a monument. The place in which it would best appear was the history of his country, in which he would go down to succeeding generations as one of its most upright ministers and brightest ornaments. With respect to the erection of a monument to his name in Westminster abbey, it were to be wished that many, whose memories obtained the same distinction, had been equally deserving of it. It could not be expected of those who differed from Mr. Perceval in opinion on public matters, that they should agree in the estimation in which others held his public services; but it would be allowed by all that his intentions were right,—that he was zealous in the discharge of the public duties that he had undertaken, and that he possessed not only many private virtues, but that those virtues were carried into the sphere of his public conduct. Now it appeared to him that nothing would be more creditable to the present age, in the opinion of posterity, than to shew in this manner that they knew how to estimate the value of private virtues carried into public life, and exercised in a public station. He thought they would do honour to their own times, as well as to the memory of the individual, in agreeing to the proposition of the noble lord.

Mr. *Elliot* wished it to be distinctly understood, that if he could bring himself to give such a vote from private considerations, he should not hesitate to give it to the undoubted virtues of Mr. Perceval; but the honour was a public one, and ought to be accorded only in return for eminent public services. He must therefore be under the necessity of opposing the noble lord's motion.

The House then divided—

For the Amendment	26
For the original Motion.........	199
	——
Majority............	173

Prince Regent's Message respecting the Family of Mr. Perceval.] The House resolved itself into a committee for the purpose of the re-committal of the Resolution proposed by Mr. Sumner, on which there had been a difference of opinion.

Mr. *Huskisson* moved, as an amendment to the Resolution, "That the committee were of opinion, that the Prince Regent should be enabled to grant to the eldest son of Mr. Perceval the sum of 1,000*l.* per annum from the 11th of May, 1812, the day of his father's death, during the lifetime of his mother, and that at her decease he should have the yearly sum of 2,000*l.*"

This Resolution was agreed to unanimously, and without any observations; it being understood that whatever objections there might be to this grant, would be reserved until the bringing up of the Report on Wednesday next.

The House then resolved itself into a committee on the Orders of Council, and proceeded with the examination of witnesses.—Adjourned till Wednesday.

HOUSE OF LORDS.

Wednesday, May 20.

Committee on the Orders in Council.] The House resolved itself into a committee on the Orders in Council, and continued the examination of Mr. Finlay till near seven.

Earl *Bathurst* then stated, that he had several questions to put to Mr. Finlay, but found it necessary to postpone the further examination till to-morrow, when he proposed to commence the examination at one o'clock, and to go on for a considerable time.

The Earl of *Lauderdale* expressed a wish that more time might be devoted to the examination of this subject, than which he was convinced that a more important one could not occupy their consideration. The manufacturing poor were now in an unprecedented state of distress, arising, he was satisfied, from the baneful system established by the Orders in Council; and whether they looked to this situation of distress, or to that disposition hitherto unknown in England, which had manifested itself amongst the people in some parts of the country, he thought it of the utmost importance that they should devote as much time as possible to the examination of the subject. He therefore could have wished that they might have gone on with the examination for a longer time this evening.

Earl *Bathurst* said, it was impossible for him to remain longer this evening, he having to attend a meeting upon public business. He deprecated however prejudging the question now under examination. Undoubtedly much manufacturing distress existed, and evidence had been called to prove the existence of that distress in some districts; but whether the repeal of the Orders in Council would tend to alleviate, or would not rather have the effect of greatly increasing that distress, was a question which must remain for their lordships' consideration at some future period.

The House then resumed, and the committee was appointed to sit again to-morrow at one o'clock.

HOUSE OF COMMONS.

Wednesday, May 20.

New writs were moved for Northampton, in the room of the right hon. Spencer Perceval, deceased, and for the borough of Old Sarum, in the room of the right hon. Nicholas Vansittart, who since his election had accepted the offices of Chancellor and Under Treasurer of the Exchequer.

ADDRESS FOR A STRONG AND EFFICIFNT ADMINISTRATION.] Mr. *Stuart Wortley* gave notice, that he would to-morrow move, "That an humble Address be presented to his royal highness the Prince Regent, humbly praying, that he will be pleased to take such measures as will enable him, under the present circumstances of the country, to form a strong and efficient administration."

PETITION FROM PROVOST, &c. OF BURNTISLAND, RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the provost, magistrates and town council of the royal burgh of Burntisland, was presented and read; setting forth,

"That in the present limited state of the commerce and manufactures of this country, owing to the continental restrictions laid thereon of late, the trading and manufacturing interests of Great Britain and Ireland have suffered greatly; and that many thousands of workmen employed in our manufactories are reduced to a state of poverty and idleness, without any immediate prospect of being restored to their former situation; and that the private trade to the settlements of the East India Company, under the regulations of 1793, is laid under so many restraints as tend to deter many people, especially those who are at present unacquainted with India, and who reside at home, from engaging in it, while foreigners, who pay no part of the taxes imposed on the subjects of the United Kingdom, are entirely relieved from the restraint of these regulations, by which means they are enabled to carry on the trade to the East Indies with considerable advantage; and that, were the trade laid open to the subjects of the United Kingdom at large, it would afford employment to many thousands, who are at present in a state of idleness and poverty, it would create an additional nursery for seamen, and at the same time prove the means of adding to the riches, revenue, and national prosperity of the British empire; and praying the House to grant such relief as to them may seem necessary in a matter of such great national concern, and to allow the petitioners to be heard, by themselves or counsel, in support of the objects of this Petition."

Ordered to lie upon the table.

PETITIONS FROM THE MERCHANTS OF DUNFERMLINE AND PAISLEY, AND THE SHIP OWNERS OF SOUTH SHIELDS, RESPECTING THE ORDERS IN COUNCIL.] A Petition of several merchants, manufacturers, and other inhabitants of the town of Dunfermline, and the neighbourhood thereof, was presented and read; setting forth,

"That the petitioners, who have participated largely of the general distress occasioned by the present ruinous and long-protracted war, are fully convinced that the commerce and manufactures of these kingdoms have been much injured and diminished by an erroneous and pernicious system of policy adopted by government, affecting our trade with neutral states; and that the petitioners have humbly to represent, in particular, that the town of Dunfermline, where the manufacture of diapers, or table linen, has long been established and carried on to a greater extent than in any other district of Great Britain, has suffered very considerably in its trade from the interruption of the accustomed intercourse with the United States of America, in consequence of the British Orders in Council; and that, from the great and increasing accumulation of manufactured goods for which there is no adequate market, the petitioners apprehend the most disastrous effects, unless some remedy be provided; and that, under these circumstances, they have learned with much satisfaction the resolution of the House to go into a committee on the subject of the Orders in Council, the injustice and impolicy of which the petitioners humbly trust will be made manifest to the House in the course of the enquiry; and praying, that the House will adopt such measures as it may in its wisdom think fit, for speedily and effectually withdrawing the Orders in Council, and obtaining an amicable adjustment of differences with America, and, above all, for restoring to the subjects of these kingdoms the inestimable blessings of a general peace."

A Petition of several merchants, manufacturers, operatives, and other inhabitants of the town of Paisley and the neighbouring villages, was also presented and read; setting forth,

"That the petitioners flattered themselves, that, on the commencement of the New Æra, many of the sufferings under which they laboured, would have been alleviated; but, instead of any redress, the daily increasing calamities with which they are surrounded, impel them again to lay their grievances before the House; and that the long continuance of the war in which we are now engaged has brought the country almost to the verge of ruin; and that the unprecedented expenditure occasioned by the great length of time that the war has been continued, and the manner and extent to which it has been carried on, has increased the burdens of the people to a degree which, even in the most flourishing state of commerce and manufactures, would ultimately have ruined the country; and that the greatness of the national expenditure, and the introduction of the paper system, has driven gold out of circulation, depreciated the value of money, introduced a base and spurious currency, and encreased the price of all kinds of provisions, whilst the wages of the operatives have been reduced gradually to a small pittance of what they received before the commencement of the war, when the prices of the necessaries of life were considerably more than one half cheaper than they are at present; and these, while our merchants cannot freely import the produce of other nations in exchange for our manufactures, prevent the petitioners, even with all their capital skill and industry, from so effectually competing with other nations in the foreign market whose burdens are less, and rate of living is so much cheaper than ours; and that some of the measures resorted to in the prosecution of the war have been peculiarly impolitic and ruinous, especially for commercial and manufacturing countries like Great Britain and Ireland, particularly the Orders in Council; such a measure of commercial retaliation, in such circumstances, appears to the petitioners as being at best but the sacrificing of the vital interests of the nation to the will and prejudices of a few; and that, in consequence of these Orders in Council, not only has the revenue of the country been considerably reduced, though the taxes have been levied within the last three years to an extent before unknown, but neutral nations have been forced to establish manufactures of their own, or to open new channels of commerce to supply the want of our manufactures; which makes it very doubtful whether this country will ever be able to resume its commercial intercourse with them to nearly the same amount, or with the same advantages; and, if the same line of conduct be long persisted in, this effect must become certain and irremediable; and that the utility of the repeal of the Orders in Council appears so obvious, that, in the opinion of the petitioners, nothing but the most blind infatuation or false pride, could for so long have delayed a measure which would have tended more than any other to promote the harmony which ought to be fondly cherished towards the United States of America, and at the same time have given such immediate relief to the languishing manufactures of this country; and that the inexpediency of these Orders in Council has been virtually acknowledged by the system of granting licences, a measure partial and wicked in its nature, and, in the opinion of the petitioners, tending in its operation to degrade the national character in the esteem of all mankind; and that the restrictions on commercial intercourse with other countries, the consumpt of provisions by the mode and extent of carrying on the war, joined to some deficiencies in the crop of last year, have raised the price of provisions to an exorbitant and alarmingly high extent, which, in the low state of trade, lowness of wages, and want of employment, without a speedy alleviation, leave the petitioners little to hope, and much to fear, especially as the labouring classes have already very generally exhausted the savings of better times, and suffered severely from extraordinary exertions to support their famishing families; and that that manufacturing district has suffered much from the want of the American market, where a considerable part of the goods manufactured here, found a vent, and from which that district, which does not produce corn sufficient to support the inhabitants for one third of the year, derived a considerable quantity of that most necessary article, and other produce, in return for goods; and that the want of a foreign market has reduced the capital of the manufacturers, produced an overstock of goods, and lowered the price of those wanted at home, so that the manufacturer has not been able to give any thing like an adequate compensation for the labour of the operatives; and, unless some measures be adopted that will give immediate relief, they will be under the necessity of throwing the greater part of their workmen out of employment; and that the petitioners humbly conceive that the rescinding of the Orders in Council, and the opening of a free intercourse with neutral nations, and the giving of all possible facility to commerce, and to the importation of grain and flour, would give a vent to our manufactures, employment and subsistence to the operatives employed by the petitioners, and thus greatly alleviate the calamities under which they groan, and prevent consequences which are painful to contemplate; and praying the House to take these grievances into consideration, and address the Prince Regent to rescind the Orders in Council, to open a free intercourse with neutral nations, and to allow and encourage the importation of grain, flour, and other provisions; and the petitioners further pray, that if the war must be continued, that the national expenditure may be retrenched, as far as the honour and safety of these kingdoms will permit, or that such relief may be afforded to the petitioners as the House in its wisdom shall deem most effectual for the melioration of the condition of the people."

A Petition of several owners of ships of the town of South Shields, was also presented and read; setting forth,

"That the ships of the petitioners were heretofore chiefly engaged in the coal and Baltic trades, but since the ports of the Baltic have been shut, their chief resource has been, and now is, in the coal trade, and in bringing timber from the British colonies in North America; and that the petitioners are deeply impressed with a sense of the magnitude and extent of the evils arising from the present system of granting licences to foreign vessels to import timber, deals, staves, and other kinds of wood into this country, to the manifest disadvantage of the British shipping interest, such importations not only interfering most fatally with our trade to the British American colonies, but are also highly injurious to the colonists themselves; and that the House is well aware of the confined trade and depressed state of the shipping interest from the present unfortunate state of Europe, but the encouragement given to foreign vessels, and even to those belonging to our enemies, by granting them licences to import wood into this country, has not only increased the depression, but is likely to annihilate the shipping trade to British North America, and, if the present system of granting licences is continued, the petitioners are apprehensive it will become ruinous to them and to the shipping interest at large; and that the petitioners have, with deep regret, foreseen, for some time, the baneful effect the granting of licences so extensively would produce upon the wise and venerable maritime laws of this country, upon the faith of which they embarked their capitals, in hopes of acquiring a maintenance by their honest exertions in their profession; and they cannot behold, with indifference, the encouragement given to foreigners, by aid of British licences, to supply the place of British capital and British industry; and that in the humble opinion of the petitioners, licences have been granted without any emergency, for it is a notorious fact, that they have been issued so profusely, that they have been offered for public sale upon the continent; and that, besides the evil tendency of the licence system, striking at the very root of our navigation laws, the petitioners most deeply deplore that it is the occasion of such systematic falshood, perjury, and depravity, as is highly reprehensible in a moral point of view, and may eventually prove the ruin of the general mercantile interests of the world; and that the petitioners beg leave to state, that the English merchants and ship owners have made every effort in their power to support themselves in a trading competition with those licenced foreigners, by importing timber, deals, &c. from our colonies in America; but the foreigners being fully employed in the Baltic and Norway trades, have shorter voyages to perform, and, being navigated at a less expence than British ships, have such a decided advantage, that neither the English merchant or ship owner can contend against such unfavourable and unnatural circumstances; and that the petitioners most humbly submit to the House, that, if necessity renders it indispensable that any part of the licence system should be tolerated, it ought to be confined exclusively to articles of the first necessity, and, in their humble opinion, should not be extended to such commodities as may be procured from our own possessions, or even from any foreign port to which British ships can safely navigate; and that the petitioners view, with amazement and concern, the extensive and flourishing trade of the northern powers to this kingdom by the indulgence of licences; and that, in almost every British port, the petitioners see the Danes, Swedes, Russians, and other northern states, display their flags in commercial prosperity, while the commercial flag of Great Britain is never shewn in their ports, except indeed when it is shewn underneath the flag of a belligerent to denote the triumph of capturing a British vessel; and that the rapid improvement in the appearance and skill of foreign seamen, since the granting of those licences, is evident to the petitioners and to all persons who are acquainted with nautical affairs; a hardy and able race of mariners is thus reared, and, whilst our enemies are putting forth all their strength, Great Britain, by the continuance of the system of which the petitioners complain, is virtually suspending that power which has hitherto contributed so essentially to her superiority as a nation; and the petitioners further beg leave to state, that they are well aware of the difficult and critical circumstances of the times, and they would most willingly submit to any privation for the general good of the British empire; but they cannot consider the present system of granting licences so extensively to be for the general good; on the contrary, they are apprehensive, if it is continued, that it will not only sap the navigation laws of this country, but will also prove highly injurious to the whole commercial interest of this kingdom; and praying, that the House will be pleased to take into consideration the infringement of the British navigation laws, so far as relates to the granting of licences to foreign vessels to import all sorts of wood into this country, and that the petitioners may be allowed to state and prove their grievances, by counsel or otherwise, as to the House shall seem meet."

Another Petition of ship owners of the town of South Shields was also presented and read; setting forth,

" That the petitioners have perceived, from the votes of the House, that various Petitions have been presented, praying a repeal of his Majesty's Orders in Council of the 7th of January, 1807, and the 26th of April, 1809, and that a committee of the whole House have been appointed to consider these Petitions, feel that they would be wanting in duty to their country if they omitted humbly to express to the House the opinion which they entertain upon that most important subject; and that they most respectfully beg leave to state to the House, that they have, from the first promulgation of these Orders, viewed with approbation the just and necessary retaliating measures which have been opposed by his Majesty to the lawless and unprecedented system adopted by the enemy for the destruction of the commerce and manufactures of the British empire; and that, in the humble opinion of the petitioners, the repeal of the Orders in Council would, at best, only afford a temporary relief to some of the British manufacturers, while their repeal would give a decided advantage to our enemies, by opening the trade to the continent to neutrals, whereby France, and the countries under her controul, would be relieved from their present difficulties, without alleviating the depressed state of the commerce of this country, but, on the contrary, it is the unbiassed opinion of the petitioners, that, if this indulgence be granted to neutral states, it will give our enemies greater facilities to carry on the war, and afford them better hopes of overwhelming the British navigation laws, whose destruction they frequently declare to be their principal object; and that the petitioners further beg leave to state, that they are sensible of the difficulties which the commercial interests of this kingdom labour under at present, and they also feel the pressure of the times as much as any of their fellow subjects, the shipping trade being much limited and confined, yet, notwithstanding those difficulties, they are willing to submit to any privations which the continuance of the Orders in Council may cause, as they are confident it is the best means of ultimately removing the distress, by compelling the mitigation or the repeal of the French Decrees, and the restoration of the ancient system of commerce and warfare, and that the petitioners have seen, with great concern, the attempts which have been too successfully made to mislead great numbers of industrious and meritorious workmen in different manufactories, by persuading them to ascribe their sufferings to those necessary and indispensable measures of his Majesty's government; but the petitioners have full reliance in the wisdom of the House, and persuade themselves they will weigh with due attention the interests of every part of the empire; and praying, that the House will not adopt any measures for the purpose of inducing his Majesty to rescind the Orders in Council, until the enemy shall have effectually repealed his hostile Decrees, and suffered the trade of neutral nations to resume its legitimate source."

Ordered to be referred to the Committee on the Petitions against the Orders in Council.

LETTER FROM LORD G. L. GOWER TO LORD CASTLEREAGH, RESPECTING BELLINGHAM THE ASSASSIN.] Lord *G. L. Gower* rose to move that there be laid before that House, a Copy of a Letter which he had written to a noble lord, the Secretary of State for the Home Department, containing all the circumstances relating to the case of John Bellingham. He hoped the House would feel with him the delicate situation in which he stood, and permit him to make this motion without any previous notice. After the manner in which the conduct of sir S. Shairp in Russia had been arraigned by the prisoner, he thought the present proceeding one that was highly proper. Sir S. Shairp he described as a most faithful servant of government, and as a man ready to relieve the distresses of others, while in that country, even out of his own pocket. The explanation was due not only to sir Stephen, but to himself, to the memory of Mr. Perceval, and to the character of the government. In the paper for which he should move, he had confined himself simply to a relation of facts, such as his memory had enabled him to do, assisted by the recollection of others. He concluded by moving, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, copy of a Letter from the right hon. lord Granville Leveson Gower (late ambassador at the court of St. Petersburgh) to lord viscount Castlereagh, his Majesty's principal Secretary of State for Foreign Affairs, dated 17th May, 1812."

Lord *Castlereagh* expressed his assent to the motion, which was unanimously agreed to. The said Letter is as follows:

LETTER from LORD GRANVILLE LEVESON GOWER to VISCOUNT CASTLEREAGH.

Stanhope Street, May 17th, 1812.

"My lord; it appears upon the trial of John Bellingham for the murder of Mr. Perceval, that the prisoner in his defence endeavoured to justify that atrocious act on the ground of his Majesty's government having refused to compensate him for the injuries and oppression he states himself to have suffered in Russia, during the time I had the honour of representing his Majesty in that country. He complained particularly of my conduct, and that of sir Stephen Shairp, his Majesty's consul general, as having sanctioned, by our silence and neglect to interfere in his behalf, the unjust treatment, as he considered it, of the Russian government.

"I was subpœnaed by the prisoner to attend the trial; I did attend, and expected anxiously to be called upon, to state, upon oath, all I could recollect of the circumstances of his case in Russia. In this expectation, however, I was disappointed; my testimony was not called for; and after having heard the most serious accusations of gross neglect of duty and want of common humanity, brought forward by the prisoner, against myself and sir Stephen Shairp, I had not the opportunity afforded me of publicly refuting those charges. Although I am perfectly aware that the assertions of a man, standing in the situation of Bellingham, can, unsupported by any other testimony, have no weight whatever with the sober and reflecting part of the public, yet I should be wanting, I think, to the interests and honour of the government of this country, as well as to my own character and reputation, if I did not endeavour to do away any possible misapprehension upon this subject, by as ample a statement of the circumstances, as my memory, of transactions which passed some years ago, will allow me to furnish.

"As you, my lord, are at the head of that department, under which I was employed, I conceive it to be my duty to address this Statement to your lordship.

"In the year 1805, I remember receiving a Letter from John Bellingham, complaining of his being detained in prison at Archangel, and claiming my protection, against what he conceived to be the injustice of the constituted authorities of that port: I remember that immediately upon the receipt of this Letter, I consulted with sir Stephen Shairp, who agreed not only to write a letter to the governor general, requiring an explanation of the circumstances of which Bellingham complained, but also to his own mercantile correspondents, British residents at Archangel, for their opinion of the conduct of the Russian government towards the complainant.

"It appeared from these enquiries, that Bellingham having been engaged in commercial business with the house of Dorbecker and Co. pecuniary claims were made by each party against the other, and that these claims had been by the governor general referred for decision to four merchants, two British merchants being appointed on the part of Bellingham, and two other persons on the part of Dorbecker: by the award of those arbitrators, Bellingham was declared to be indebted to the assignees of Dorbecker the sum of 2,000 roubles. This sum Bellingham, notwithstanding this decision, refused to pay.

"It also appeared from the communications received from Archangel, that a criminal suit had been instituted against Bellingham, by the owners of a Russian ship which had been lost in the White sea. They accused him of having written an anonymous letter that had been received by the underwriters in London, in which letter it was stated that the insurance of that ship was a fraudulent transaction; and payment for the loss of her had been in consequence resisted. No satisfactory proof was adduced against Bellingham, and he was acquitted of this charge. But before the termination of this suit, he attempted to quit Archangel, and being stopped by the police, whom he resisted, he was taken to prison; but was soon after liberated, in consequence, I believe, of a second application to the governor from sir Stephen Shairp.

"About this period I quitted Russia; and I have no recollection of hearing any thing more of John Bellingham, till after my arrival at St. Petersburgh upon my second embassy. He came running into my house one evening, and solicited me to allow him to remain all night in order to avoid being retaken into custody by the police, from whom he had escaped. I complied with this request, though I could not, upon any ground, assume to myself the power of protecting him from legal arrest. It appeared that the award of the arbitrators of Archangel had been confirmed by the senate, to which body Bellingham had appealed; and he was in consequence delivered over to the custody of the College of Commerce (a tribunal established for the especial purpose of taking cognizance of commercial matters relating to British subjects, and whose authority was recognized in the commercial treaty between the two countries) there to remain till he discharged the debt of the two thousand roubles. This custody was not very strict, for he was allowed to walk wherever he pleased, attended by a police officer belonging to the College. He came frequently to my house, and at various times received from my private secretary small sums of money, to support him during his confinement. Confined as he was by the legal authorities of the country, I could on no pretence make any application for his release; but I remember well, in conversation with the minister for foreign affairs, expressing my personal wish that the Russian government, seeing no prospect of recovering the sum of money required from him, would liberate him from prison, on condition of his immediately returning to England.

"Very soon after this conversation, all diplomatic intercourse ceased between the two courts; and the course of public events necessitated my quitting Russia in the abrupt manner with which your lordship is well acquainted. I am, my lord, with great respect, &c.

"GRANVILLE LEVESON GOWER."

PRINCE REGENT'S MESSAGE RESPECTING THE FAMILY OF MR. PERCEVAL.] Mr. Lushington reported from the committee of the whole House, to whom it was referred to consider further of his royal highness the Prince Regent's Message of the 12th instant, the following Resolution:

"Resolved, That it is the opinion of this committee, that the annuity of 2,000*l.* payable to the hon. Jane Perceval, be from and after her decease payable to such son or grandson of the late right hon. Spencer Perceval as shall be his heir at the time of her decease, during the natural life of such son or grandson; and that until the said annuity shall by the decease of the hon. Jane Perceval so devolve, there shall be granted to his Majesty a sum not exceeding 1,000*l.* to commence from the 11th day of May last, and to be paid annually out of the consolidated fund to such son or grandson of the late right hon. Spencer Perceval as shall be his heir, and that the same shall be paid without any fee or deduction whatsoever." On the motion that this Resolution be read a second time,

Mr. *Whitbread* rose. He said he was extremely unwilling to oppose a proposition like that then before the House; but as it did appear to him that the House had gone to the full extent of remuneration for Mr. Perceval's family, and as every thing beyond remuneration would appear like a reward of his public services, [No, no, from various parts of the House,] which services he utterly denied, he could not permit himself to vote in favour of the question. The hon. gentleman who moved the Resolution, had put it to him, whether 200*l.* a year was sufficient provision for the eldest son of Mr. Perceval; but he wished to remind that hon. gentleman of what the fact really was. The income of Mrs. Perceval, arising from her own private fortune, and the sums voted by parliament for herself and children, would amount to 6,500*l.* a year; and would any person say, that a gentleman's widow, with twelve children to bring up, could be considered as inadequately provided for, with such an income? Now, too, that the House had cooled from the influence of those feelings, the existence of which was truly honourable to every man in it, he would beg leave to advert to one or two other particulars. He understood that there were family expectations, derivable from persons far advanced in life, and whom, therefore, it was highly probable, Mrs. Perceval would survive. That was an additional reason for limiting the bounty of parliament to what had been already done. He would view the case in another light. What did they do for the widows of those who died in the military or naval service of their country? A pension of 500*l.* a year was reckoned an ample provision. In the present year even, under Mr. Perceval's administration, the widow of a gallant officer who fell in the breach before Ciudad Rodrigo (he meant general Craufurd)—was recommended by the right hon. gentleman himself, he believed, to the crown, as a fit object of its bounty, and she received 300*l.* a year, with 100*l.* to each of the children. Upon all these grounds he should feel it his unpleasant and painful duty not only to oppose the question, but to divide the House upon it.

Sir *J. Nicholl* said, that the House had been called upon to appeal to their judgments, and not to their feelings; and the more they had appealed to their judgments, the more they appeared convinced the first proposition did not go far enough. When the House were unanimous in expressing their sense of Mr. Perceval's public as well as private virtues, they of course did not pledge themselves to approve of all his public measures, or public principles. His diligence in the public service, his temper, manliness, and sincerity, were public virtues, which every body had allowed. In his opinion, so far from a liberal reward, the House had hardly come up to the measure of cold justice. He had quitted, for the public service, one of the most lucrative situations in a lucrative profession: he had given up the grant made to him of the duchy of Lancaster; he had given up for many years the emoluments of the office of Chancellor of the Exchequer, and he had given to the public service places which he might have kept for the provision of his own family. When such a man had been assassinated within the walls of parliament, he thought a full remuneration was due to his family for all the sacrifices he had made. He did not know from what quarter those great expectations which had been stated by the hon. gentleman were to proceed. Lord Arden had a large family of his own to educate and provide for. Indeed it appeared to him that the country should adopt the family of Mr. Perceval, and not require any interference from any other quarter. It would hold out a lesson to such wretches as might in future meditate the assassination of ministers, that the nation would take care of the families and of the memories of such ministers, and that their views to injure them would be thus in a great measure disappointed. An hon. gentleman had compared this to the case of naval and military commanders. He saw no analogy. They knew at least, when they entered their professions, they were exposed to a death of that nature: but how could Mr. Perceval, in relinquishing the bar for the public service as minister, conceive himself to be liable to be assassinated at the door of that House, while in the faithful discharge of his duty? In such a case he thought a full remuneration was due.

Sir *John Newport* said, that he felt ready to agree to what was first proposed, with the view of marking the abhorrence of the House at the atrocious act which had been committed, and of giving a suitable relief to Mr. Perceval's afflicted family. He thought, however, if more was done, it must appear like a recognition of public services. The House had, at first, been unanimous in agreeing to what had been proposed to them. He did not see what new light had broken in upon them since, to make them extend the grant. All the circumstances of the case, and that of the family, had been taken into consideration at the first, and he did not see why that unanimity was now to be avoided, which then appeared so desirable.

Mr. *Barham* thought that the family of Mr. Perceval was entitled to a liberal provision, inasmuch as he had lost his life in the discharge of his public duty. He thought that on this account a liberal grant ought to be made, independent of the nature of the public measures which he had recommended. If he had placed any man as steward over his estate, and that man was murdered in his house, while faithfully discharging his duty, he should feel himself bound to give the family of that man a full remuneration for their loss, without considering his system of managing the estate. The same course appeared to him to be the duty of the House towards Mr. Perceval's family.

Sir *F. Burdett* felt great reluctance in being obliged to oppose the grant, as being a grant of public money not resting on the ground of public services. If he were bound to speak of Mr. Perceval as a minister, he must say that he saw no claims to approbation or remuneration, but, on the contrary, strong grounds of reprobation. As to his private virtues, he had not an opportunity of knowing them as well as some other gentlemen; but he did not think that private virtues were sufficient to justify a large grant of public money, especially in times of such distress as the present. He would much rather that their compassion for Mr. Perceval's family should be testified by a private subscription to a larger amount even than what had been proposed to parliament; and if such a measure were set on foot, he should feel great pleasure in subscribing largely to it. As a guardian, however, of the public purse, and recollecting the numbers of families now in the most bitter distress, he could not feel justified in voting any more of their money, upon such an occasion as that now before them.—It had been stated, as he thought somewhat unfairly, that Mr. Perceval's life had been devoted to the public service, for which he had sacrificed other pursuits. Could it be forgotten, however, how much of the public money Mr. Perceval had received throughout the greater part of his life? Could the public forget what very large sums had been received from sinecure places by other members of his family? In his political career, he might have been actuated by a laudable ambition, but it was too much to say, that he had entirely sacrificed himself to the public service. He saw strong reasons for doing what compassion to his family required, and in that the House had been unanimous; but he was obliged to oppose any thing farther.

Mr. *Huskisson* supported the motion that he had originally proposed of an additional grant of 1,000*l.* per annum to the eldest son of Mr. Perceval. He was now just of an age to enter into the university; and if he were reduced to a pittance of 4,000*l.* which, after deducting the property-tax, would give him but 180*l.* per annum, it would be most evident, that neither at the university, the bar, or the senate, could he support himself at all in the manner that he would have done if his father had not been cut off. Under those circumstances, he thought it but justice to the eldest son of Mr. Perceval, to enable him to pursue that course of life that had been marked out for him by his father.

Mr. *Holme Sumner* supported the Resolution. He pledged himself that if Mr. Perceval's accounts were looked into, it would be found that he was a poorer man than when he went into office. Surely the provision could not be thought too large, when, in the Bill of his hon. friend (Mr. Bankes), which had received the support of gentlemen on the other side, it was provided that every future Chancellor of the Exchequer, after the framing of that Bill, should receive 5,000*l.* a year after he had been five years in office; a remuneration which Mr. Perceval might have enjoyed had he lived, and had the Prince Regent thought fit to dismiss him from the situation he held; and which indeed, it might be therefore said he had fairly earned.

The House then divided, when the numbers were:—

For the Resolution	171
Against it	16
Majority	—155

HOUSE OF COMMONS.

Thursday, May 21.

Petition from Merchants of Glasgow respecting the Orders in Council.] Lord Archibald Hamilton presented a Petition from several merchants, manufacturers, mechanics, and other inhabitants of the city and neighbourhood of Glasgow, setting forth,

"That the depression of commerce and manufactures under which the country in general has for these last two years laboured, has been very particularly and most severely felt throughout that extensive manufacturing district, where more particularly those engaged in all kinds of mechanical labour have been either subjected to excessive exertion from the lowness of wages, or unsupportable privations from a deficiency of work; and that the long duration of this calamity has already exhausted the economical savings of better times, extinguished their credit, and dried up every external source of relief, while their earnings, in consequence of the extravagant price of provisions, are utterly inadequate to the present support of their families; hence, scenes of individual and domestic misery are daily occurring, from the contemplation of which humanity shrinks back with dismay; and that the petitioners, pressed down and surrounded at the present moment with numerous afflictions, view the prospect before them with considerable alarm; the price of industry is already sunk almost to nothing, the trade and manufactures of the country are gradually sinking, and the already extravagant but rapidly advancing rate of provisions indicates the near approach of calamities still more grievous and destructive; and that the petitioners sincerely believe that the ruinous and long protracted war in which the nation is now engaged, has led to all or most of the grievances now submitted to the consideration of the House; and that, in the measures resorted to for carrying on this expensive warfare, the commercial and manufacturing interests of the nation have been compromised, particularly by the British Orders in Council, which, without producing any solid advantage to the nation in general, or any serious evil to the enemy, has, by limiting our manufactures and restricting our commerce, reduced the capital of the country, and pressed down the labouring classes of the community in poverty and want; and that in consequence of the Orders in Council, not only has the revenue, the commerce, and the manufactures of the country been greatly diminished, but, by forcing neutral nations to establish manufactures of their own, or to open new channels of commerce for supplying the want of our manufactures, leaves it doubtful whether this country can again resume her commercial intercourse with the same advantages, or to near the same amount, thus rendering a temporary evil permanent and perpetual; and that the consequences of these Orders are exceedingly hurtful to the city of Glasgow and country-side, as a large proportion of the goods manufactured there found a ready market in the extensive and populous regions of the United States of America, and, during the present scarcity of grain, their pernicious effects must be still more severely felt; and that, while Great Britain is engaged in doubtful warfare, almost single-handed, against the states of Europe, the petitioners are anxious that America, where our most extensive market, and, from the nature of her government, and the manners of the people, our best allies may be expected, should not be added to the already too numerous list of our enemies; and that the petitioners humbly conceive, that by withdrawing the Orders in Council, the greater part of the evils under which they now suffer, would be speedily removed, and, by opening a free intercourse with neutral nations, our manufactures would find a vent, and our mechanics employment, while the free importation of grain and flour, now so much wanted, would prevent consequences which every man must dread, but tremble to contemplate, and praying the House to take these their grievances into immediate consideration, and rescind the Orders in Council, or afford the petitioners such other relief as the House may judge proper."

Ordered to be referred to the Committee on the several Petitions against the Orders in Council.

MR. STUART WORTLEY'S MOTION RESPECTING A STRONG AND EFFICIENT ADMINISTRATION.] Mr. *Stuart Wortley* rose, pursuant to his notice of yesterday, to submit to the House a motion for an Address to the Prince Regent, praying his Royal Highness to take such measures as might be best calculated to form an efficient administration. He was anxious to state frankly to the House, his motive, object, and the general grounds upon which he had felt it to be his duty to submit to them the present motion. He was anxious in the first place, to prevent, by the interposition of that House, the complete formation of a ministry then forming under circumstances that left no reason to doubt their incompetency to carry on the affairs of the country.

It was notorious that an administration was now upon the eve of being formed, which no disinterested man thought adequate to meet the exigencies of the times, an administration, which was so far from being able to conduct the government of the country, in any way conducive to the safety and prosperity of the empire, and their own honour, that it was to be apprehended, their continuance in power could only serve to plunge us deeper in those difficulties, from which they were utterly unable to rescue us. For himself he was free to say, that he thought it a more manly part, to resist *in limine* the formation of such a government, than to look idly on while it was forming, and afterwards commence a systematic opposition against it. A speedy and determined manifestation of public feeling might lead to the formation of an administration entitled to the confidence of the country. He was sure, that if the real sense of the people was conveyed to the Prince Regent through their constitutional organ, the House of Commons, praying for a government better calculated to meet the claims of the present awful crisis, he felt satisfied that if such an Address was carried, it must lead directly to the formation of a wise and capable ministry. He did not mean to pledge the House by their present vote to the support of all the measures of any government, however efficient or confided in; neither did he mean to pledge the House to oppose all the measures of even the present administration, were they to continue. He meant merely to call upon that House to address his Royal Highness, praying him to form an efficient administration, thereby implying that the persons now about to be called to, and to be continued in the administration of public affairs, did not possess the confidence of the country. So far as to his object. He should now state the grounds on which he rested his present motion. Upon a subject of this kind, he thought that every honest man might well put three questions to his conscience; first, Whether, at the present crisis, an efficient government, possessing the full confidence of the people, was not at the present period absolutely necessary? The second question would naturally be, Did the present government possess that confidence? And the third question was, Whether all had been done that might have been done to form an administration efficient, possessing the confidence of the country?—On these three questions he appealed with confidence to the judgment of that House. As to the first proposition, he thought it would be a waste of time to say a word upon it. To enable us to continue our present struggle we must have a government in whom we could confide as a guide. As to the second proposition, it might certainly be thought by some more disputable, but in his mind it was equally as true and certain as the former. He admitted, and was proud to acknowledge the terms of personal friendship upon which he was in the habit of communicating with leading persons in the present government, and the relation in which he stood towards some of them; but that consideration, however strong, should not influence his conscientious judgment of their capabilities as part of the present administration. It would, however, ill become him, so circumstanced, to resort to any language that could indicate towards them any thing like an irritable feeling upon his part. He felt none—he thought, however, that they of themselves could not supply the place of that eminent person, of whom they had been so recently deprived by an act of unparalleled outrage. He never, in the course of his experience in that House, met with a man more formed to guide its proceedings with temper, good sense, and a conciliatory spirit, than the late Mr. Perceval,—but if the present government were not very strong, even with the aid of Mr. Perceval's great talents, they were certainly worse than weak without them. Neither was this in any respect a new question; it had been decided upon before; in 1803 the present government had been tried and found wanting. It was true, he might be told, that Mr. Perceval's administration was composed of the same materials, but then Mr. Perceval was there himself; he had been of late their chief, or rather, indeed, their only support. He should now pass to the third question—whether every thing had been done which might have been done to form a popular and efficient administration? He thought that little, very little, had been done towards the furtherance of an object so desirable. It was true that certain offers had been made to a noble marquis and a right hon. gentleman on the floor, but they were of a nature so inadmissible by either that it was quite impossible they could have been acceded to. He complimented the noble lord and the right hon. gentleman on the manner in which they had severally conducted themselves throughout that correspondence, and though upon another subject he had been free of his censures in private, and should be equally so upon any opportunity that offered in public upon the conduct of the right hon. gentleman (Mr. Canning) on another occasion, yet he thought it but just to declare that, in his opinion, that right hon. gent. had, throughout a recent correspondence, conducted himself most creditably; and that the letter written by him to the earl of Liverpool, did equal honour to his head and to his heart. But the terms proposed were not to be acceded to. He (Mr. Wortley) had been an uniform opponent of the Catholic claims; but after the late discussion and division upon that question, he thought all further opposition vain. It was idle to attempt to form a strong administration, unless something was done to conciliate the Catholics. The abandonment of such a question should never have been proposed as a preliminary condition. He thought, therefore, that upon the whole he was justified in concluding, that all had not been done which might have been done to form an efficient administration. If his present motion could have any tendency to do so, he should be much gratified. He was anxious to see an administration formed upon a liberal basis, calculated to comprehend the talents and influence of the country, and to promote its security and honour; and in the furtherance of so laudable an object, he trusted that right hon. gentlemen on the other side of the House would cautiously abstain from all language that could, by creating irritation in a certain quarter, tend to obstruct those arrangements which might otherwise be so happily concluded upon. Such language must be censured upon every account, and more particularly as holding up to the ridicule and abuse of the low and vulgar those whom it was their duty to respect, and to teach others to reverence. With respect to his motion, it came before them utterly destitute of any other influence than that derivable from its own merits. He had made it upon his own free motion. He had consulted with no one. Indeed, he was then actually ignorant whether his motion would be seconded or not. As one of the most fervent friends and greatest admirers of Mr. Perceval, he had come forward thus early, to show in an open and undisguised manner, that the government, deprived of him, could not be supported by all his friends. In doing this, he felt personal pain from his relation to the noble lord below him. For that noble lord he entertained the greatest private regard. If his conduct on the present occasion inflicted a pang on that noble lord, he sincerely regretted it; but it was a sacrifice which he made on the altar of public duty. He then moved, "That an humble Address be presented to his royal highness the Prince Regent, humbly praying, that he will be pleased to take such measures as will enable him, under the present circumstances of the country, to form a strong and efficient Administration."

Lord *Milton* seconded the motion.

Mr. *Eyre* opposed it, as unconstitutional to interfere with the prerogative of the crown in the formation of an administration. There was no instance upon record of the House having so interfered. They had interfered, when an administration had been formed, and found inefficient; but they never had come forward with their previous advice. It was their duty to watch over and controul the crown; but there was no doctrine in the constitution better understood than that they had no right to interfere with the crown in the nomination of its servants. The hon. mover grounded his motion on the inefficiency of the present administration. With him, he cordially agreed in lamenting, that all the abilities of all parties were not called into the service of the country, at a period when great abilities were so needful in the direction of the state. They knew, however, by communications that had been made in a manner to which he might allude, as they had been published to the world, the nature of the negociations on the subject of an accession of persons of acknowledged talent to the present government; and they were, through these publications, also aware of the grounds on which those persons had thought proper to decline the invitation. These grounds might be good, and the scruples which stood in the way of accommodation were entitled to respect; but this was no ground for censure on the existing administration. They had certainly, by an unparalleled act of atrocity, lost their greatest support, which loss they had attempted to remedy, by seeking the aid of persons whose political opinions were nearly the same as their own; but who would not concur with the proposal, unless certain questions were conceded to them. And what were these questions? Those which had received the sanction of that House, and he believed he might say of the country. The hon. mover founded himself on the supposition that the administration would be weak and inefficient for the purposes of government. For his part, he placed little reliance on this prophetic anticipation of what an administration was to be. He had seen administrations so prematurely denounced as weak and inefficient, conduct the affairs of the country with activity and vigour—while, on the other hand, he had seen others, with great promise of talents, energy, and weight, most miserably disappoint every expectation that had been formed of them. With these impressions, he could have wished to meet the present motion by a direct negative; but on consideration, he would rather adopt a middle course, and move, as an amendment, "That the other orders of the day be now read."

Lord *Milton* confessed, that he thought the House would not do their duty to the country, unless they acceded to the proposition of his hon. friend (Mr. Wortley); at any rate he was sure that it was not possible for them to agree to the amendment that had just been moved. The motion was founded on the ground of ministers not possessing the confidence of the people or of parliament, and opposed on the ground of its being an unconstitutional interference with the prerogative of the crown in choosing its own servants. But in the support of this latter argument he called for more than the mere assertion of his hon. friend. He, for one, considered it to be not only the province and right, but the absolute and bounden duty of the House of Commons to interfere whenever they saw measures about to be propounded, or an administration about to be formed, which were not likely to meet the wishes, or enjoy the confidence of the people. What was the situation of government at this moment? Having in vain attempted to enlist under their banners men whose talents and abilities they thought were calculated to preserve the relics of the last administration; to what conclusion must they themselves have come in common with the House and the country, but that they found themselves incompetent to the task of government, and had therefore attempted to ally themselves to persons of greater competency? Much to the honour of these persons, that offer of alliance had been refused; much to their honour, in his mind, because they had not refused on individual grounds, but on grand political questions on which they had declared it was impossible for them to agree with those now in power. Even if they had agreed, or could agree, to this junction, he would wish to ask the House if they would have been satisfied with an administration formed of such discordant principles, and of persons, some of them pledged for, and others against, the Catholic question? If any thing could destroy the confidence of the country (which it was so desirable to preserve) in great political leaders, it was the sight of unions formed, not on the basis of congenial political principles, as if it was for place only that they cared. He could not tell what might be the consequences of the present question, if carried, but he did hope to see an administration formed, in which all the parties who composed it would agree in the great points which engrossed the attention of the country. But a change of men was not sufficient, there must be a whole change of measures to enable a ministry to stand with security to themselves and with advantage to the public.

Sir *Francis Burdett* said, that he could not give his support to the motion of the hon. gentleman, under the specific form in which it was offered to the House; neither could he concur in the amendment of the hon. gentleman who followed him; for he saw no unconstitutionality in the proposed measure. But he was of opinion, that no change of men could give satisfaction or security to the country at large, without a change of system altogether. When he said that, he meant that there ought to be men who stood pledged or who would give a pledge to apply the national resources to national objects alone—men who would embrace that broad and enlightened principle of admitting into the service of the state and to the benefits of the constitution, persons of every religious persuasion, without regard to the tenets of their faith. But he was further persuaded (although in this persuasion he might not have many concurrent voices in that House) that if all this was not followed up by constitutional reform in the representation of the people in the Commons' House of Parliament, if this vital principle was not recurred to, no administration, however formed, would be strong enough to carry the country through the formidable dangers and difficulties by which it was encompassed. Without feeling any inclination to provoke a discussion which the House did not seem disposed to enter into, he would take a short retrospect of the mode by which the political situation of the country had been affected by the various administrations which had succeeded to each other, for the last 14 or 15 years. There had been one administration formed, for the purpose of including what were said to be all the talents of the country—there had been other administrations which seemed formed to exclude all the talents—there had been at the head of affairs some men of great and unrivalled abilities, among whom he might name Mr. Pitt, to whom however might, in his mind, be attributed all those perils which now menaced the safety of the country.—There had been also, within the period he mentioned, his great opponent, Mr. Fox, a man of no less ability in the administration of the government. In short, there had been administrations of every mixture, kind, and description, which could well be imagined, still however the same system had been pursued, and the dangers of the country had increased, together with its burthens, which were naturally followed by the complaints and dissatisfaction of the people. Recollecting all this therefore, he could see no benefit which was likely to arise from the motion of the hon. gentleman; he could not consider this recommendation of a mere change of men (for such it was) as a specific for the public grievances. Nor on the other hand could he concur in the arguments advanced by the hon. gentleman who spoke second in the debate, by admitting that the motion was unconstitutional, for, in fact, the great business of parliament was to act as the council of the throne, and to acquaint the illustrious personage who occupied it, with the true sense and feelings of the country, which those persons who surrounded princes, and frequented the avenues of a court, were not likely to do. Being then persuaded, that no partial change of administration could effect any good, while hampered by a system of corruption, which must effectually prevent any great or enlightened views from being carried into execution, he could not lend his support to a motion which fell short of the point that alone in his mind could effect the salvation of the country. If the question came before them, as one of mere attack on an administration about to be formed, he owned, that on that ground alone, he should not be inclined to support it. For, it would be fair to state, on the part of that administration—"You ought not to pronounce our inefficiency, before you have ascertained it by the policy we have adopted, of the measures we have pursued. Besides, you may have your preconceived notions on those points altered in our case, as has often happened before (and, indeed, if the administration lasted on its present footing, he entertained no doubt it would be found that the person of whom they had been deprived had not monopolized the ability of the cabinet, but that the noble lord opposite would, in point of ability, rise in the estimation of the country, when put to a fair trial.) Let parliament give credit to the Prince Regent, for the exertion of so much good sense and judgment in the choice of his ministers, and do not decide upon our capacities without some experience to justify your arraignment of his choice." Such language as this would be extremely fair and natural on the part of the gentlemen composing the new ministry, in answer to the arguments which might be urged in support of the motion of the hon. gentleman. But this was not the light in which he viewed the subject. He thought it incumbent on the House to call the attention of the sovereign to the situation of the country in all its parts. The state of Ireland, and the great pressure of the times, were the leading causes of dissatisfaction throughout the land, and it was necessary that the sovereign should know these things, and that the people should have some hopes of conciliation held out to them; and as there was no epoch more fit for such a purpose than the present, when a new arrangement was about to be formed, it was his intention to propose an amendment to the original Address. He did not mean simply to propose an address to his Royal Highness recommendatory of any particular persons, for he did not know but that the gentlemen at present in office were as good as any others, or that any benefit could arise from an alteration in that respect. It was, therefore, with a conviction of the necessity of a total change of system, that he felt it his duty to propose an amendment to that effect, which he should now beg leave to read—

The *Speaker* informed the hon. baronet, that he would save him the trouble of reading his amendment, which, according to the rules of the House, could not be entertained at present, as the original motion was already covered by an amendment, which must first be disposed of.

Sir *F. Burdett* said, that he was aware of that circumstance, and wished to read his amendment merely for the purpose of putting the House in possession of its purport. He then read his amendment, which proposed, that after the word "Administration," in the original motion, should be inserted "sensible of the expediency of a redress of grievances, of the application of the national resources to national objects, of the extension of the blessings of the constitution to all classes of his Majesty's subjects, without distinction, of the adoption of conciliatory measures towards the people; and, finally, of the necessity of a full, fair, and free representation of the people, by a Reform in the Commons' House of Parliament."

Mr. *Wilberforce* complimented the hon. member who had brought this subject under discussion; observing that he had done it in a way that reflected on him the highest credit: but objected to the motion on the ground of its unconstitutional interference with the undoubted prerogative of the crown in the nomination of its servants. When they considered the complicated state of things, the infinite number of the relations and bearings which they had to each other, and that the greatest men had been often deceived in their calculations: when they had the result of such calculations before them, he thought that they should not presume on any grounds of personal or party motives to infringe on the great and fundamental principles of the constitution. It was far better to adhere to the principles of the constitution on all occasions than to violate them for the sake of a temporary advantage. In this he was confirmed by the result of whatever experience he himself had acquired, by the history, not only of his own, but of other countries, and by the opinions of many of the wisest and most eminent of men. He would not, therefore, presume to violate a great constitutional principle for any temporary benefit. His hon. friend had said, that it was more manly to bring the matter forward while the arrangements were pending: but to this he had to reply, in the words of an anonymous writer (Junius,) to a military character (sir W. Draper), who had replied to a letter of this writer, and put his name to the answer: "This was an instance of spirit; and if it had been an instance of any thing but spirit, he should have been inclined to follow the example." What was the utmost inconvenience that could result from waiting for the measures of the new administration? Some time would be lost—a week, or a fortnight. But were they to depart from a great constitutional principle for such an advantage as this? He was old enough to recollect, that 30 years ago the question, whether the House should have a previous negative on the appointment of the ministers of the crown, had been decided. It had then been determined, that it should not; and that it was only when either or both of the Houses of Parliament had had experience of some of the measures of ministers, that, if they could not confide in the administration, it became their duty to address the throne and express their judgment. The amendment of the honourable baronet (Sir F. Burdett) near him, was objectionable on the same ground. It was unconstitutional. The hon. baronet seemed to think that previous pledges ought to be required of ministers. This was not the part they had to act; they were not to call to the bar of the House the persons chosen, or whom they imagined would be chosen by the Prince, and interrogate them as to the opinions which they held, and the advice which they intended to give. The crown had first to do its part;—the House would then judge of the measures of the administration, and proceed accordingly. These were the old-fashioned principles of the constitution, under which this country had long flourished; and they were principles which, as long as he had the honour of a seat in that House, he would never abandon. But the hon. baronet had said, that a great man, acting upon such principles, had brought the country into its present difficulties. He had no wish to conceal the dangers to which the country was exposed: but the hon. baronet must remember, that the great man to whom he alluded had the confidence of the nation. If he were at a sea-port town, and saw a three-masted vessel come in after a hard-fought battle, torn and shattered, with a great proportion of her men wounded, and many dying, would it be fair in him to charge the officer who commanded the ship with these evils, instead of giving him the praise due to him, for the valour and skill with which he had conducted himself in a most difficult and trying situation? Yet such was the accusation of the hon. baronet against his departed friend. With regard to the question of reform, he had always been favourable to it; but he could not conceive how it was possible for any one to imagine, that a Parliamentary Reform could materially diminish the difficulties of the country. Still he was friendly to it, for clearing away some excrescences of the constitution, and conciliating the well intentioned of all parties. Perhaps it might be said, that this motion did not go to prescribe to the Prince whom he should choose, but to recommend the formation of a strong administration; but it was certainly fair to combine the motion with the speech by which it was introduced. It had been observed, that sufficient exertion had not been made to form an efficient administration. How did they, as members of parliament, know this? Gentlemen might have seen newspapers, and every one might attach to their reports what credit he chose, but surely these could not be made the ground for such a proceeding as this. Even on the most trifling occasions, members thought it necessary to call for papers as a foundation for their motions; and surely this rule ought not to be dispensed with in a case of this importance. He should therefore vote for proceeding to the orders of the day. For his own part he was perfectly ready to support any administration of whose measures he approved; and it was a great evil in our present circumstances, that gentlemen did not cast off their personal predilections, and combine together like the crew of a ship to fight her to the last. On both sides there were men who really loved their country; and he held him to be its best friend who acted upon the principle which he had stated.

Sir *F. Burdett* rose to explain. He denied having made any invidious allusion to Mr. Pitt, of whose abilities he had the highest opinion; and he also gave him credit for the possession of other good qualities. But he alluded to the policy he had pursued; and in the same way he had also alluded to Mr. Fox, and various other administrations, whose systems he condemned, rather than the particular men who were ministers at any of those periods to which he had referred.

The Hon. *J. W. Ward* perfectly agreed with the hon. member for Yorkshire, in the necessity of maintaining the constitution inviolate, and declared, that if he thought the motion in any way subversive of a constitutional principle, he would not support it, even if the temporary advantage were to be much greater: but he did not see that it was unconstitutional,—he was sure it was not without precedent, for that House to advise the sovereign upon the formation of an administration. He admitted that this interference was not to be resorted to frequently, or on slight occasions: but no occasion was ever more important than the present; and unless the principle was altogether denied, as it was prudently denied by the hon. member who spoke last, it must be allowed, that it ought to be acted upon. There were two grounds for the adoption of the motion; the first the danger of the country, the second the acknowledged weakness of those who were entrusted with the management of public affairs. No person doubted the dangers and difficulties of the country, both as to its external relations and its internal condition. In speaking of the present administration, it would be a most disagreeable task to go from office to office, and point out the incompetency of individuals; and this task he should spare himself. It, indeed, was a matter of public feeling, and gentlemen could not but be, in some measure, aware of the sense of the public on this question. Even before the death of Mr. Perceval, it was objected that the administration was hardly strong enough; but it was then answered, that such was the ability of Mr. Perceval, and such his character, both in and out of the House, that it compensated for the weakness and inefficiency of his colleagues. They, therefore, who gave this reason for their confidence in the administration, would pay a poor compliment to the memory of Mr. Perceval, if they continued to place the same confidence in persons so little calculated to carry even their own principles into effect. With respect to the alleged attempt to procure an addition of strength to the administration, by bringing over a right hon. gentleman of great talents and eloquence, and also a noble marquis, a member of the other House, he considered it in much the same light as the attempt made for the same purpose in February last; only that it was even less sincere, and that it would have been even more disgraceful to have acceded to it. What was the nature of the proposition made to those who had been called upon to join the present administration? They had been asked, for the sake of mere place, to surrender their principles,—to disgrace their character—to violate their solemn pledges, and to subscribe to opinions directly the reverse of those which they had recently uttered. If he were to praise them for the rejection of such an offer, they might consider it as a very poor compliment. No honest man could have agreed to such a proposition. As great as were the talents of the noble marquis, and his right hon. friend opposite, if they had accepted office under such circumstances, all the exertions of their highest abilities could never afterwards have placed them on a level, in point of confidence, on the part of the country, with men of moderate talents. Was this really to be treated like a sincere, a *bonâ fide* attempt, by the relics of the late ministry, to form a strong administration? The people of this country must be blind indeed, if they did not see that the object was to leave matters precisely as they were, to afford some pretence for the continuation of this administration; and to avoid, by this colourable pretext, the public odium which they know they must encounter if they presumed to remain without an endeavour to strengthen themselves by more efficient aid. But the House had been told that this was not the time for such a motion; that they ought to wait till they had experience of the measures of the ministers. This was an old and specious argument. He maintained, however, that this was not a time to wait till they could nicely canvas this and that particular measure. The country required men whose every step it was not requisite to watch. The time, the circumstances, demanded an administration which could do something by authority,—an administration with some name and credit to give it strength in public opinion. Even those who approved of the present system ought to consider, whether the present men were capable of supporting it. But what must the nature of that system be, to which there was such a general hostility, that all the arts and blandishments of the court could not procure any others to attempt to support it, except the present ministers? If this administration rested on any principle, if it was any thing, it was Anti-catholic; and this Anti-catholic ministry came to this House supported by the noble lord opposite. After all that had passed in that House within these two months, he thought he might ask the noble lord, and those who acted with him, if they really felt so comfortable, and so dauntless that their champions who had hitherto supported them, would not be diverted from their cause, particularly when they considered the means and instruments they at present had in hand? Did they suppose they would long be enabled to resist? If they, on the one hand, refused to concede to the Catholics those privileges which, consistently with a fair spirit of toleration they ought now to accord to them, were they certain, having been at length compelled to grant those, that they would be able afterwards to resist any unreasonable demands which might follow? Would it not be better to trust to an administration which could talk in a firm tone to the Catholics—conceding to them what was consistent with the constitution, and resisting all unreasonable demands? It appeared to him, that the House was called upon to decide whether they should ever advise the crown on such an occasion—whether they should surrender one of their most important privileges, and agree to support an administration formed upon a principle of mere favouritism.

Lord *Walpole* contended, that the proposition for strengthening the administration was made with real sincerity. The present motion was certainly unconstitutional, as the House had no right to interfere by any previous advice in the formation of a ministry, and he referred in support of that opinion to the circumstance which occurred in 1784, when the House of Lords refused to accede to the proceedings of the House of Commons upon a question similar to the present.

Mr. *Herbert*, of Kerry, said, that though he had differed from his right hon. friend, who was now no more, on several important topics, yet he could not agree to the present motion, as he conceived it to be the undoubted prerogative of the crown to choose its own ministers; but he would not pledge himself to support any administration which would not avoid involving the country in any more wars.

Mr. *Ryder* expressed himself perfectly ready to give credit to the motives of his hon. friend in bringing forward this motion, but he thought that if the House agreed to it at this moment they would violate one of the first and most undoubted privileges of the crown. He had expected that his hon. friend would have been prepared to show some analogous precedent; but the fact he really believed was, that there was no instance in our history where the House interfered to prevent the formation of an administration. His hon. friend predicted, from what he knew of the present government, that the administration, which was not yet nominated, would be one not entitled to the confidence of the country. The only similar instance alluded to was in the case of Mr. Pitt, and on that occasion his great political rival had made an apology for bringing forward a motion not of advice with respect to the formation of a ministry, but to prevent the dissolution of parliament, in the interval previous to the re-election of Mr. Pitt, acknowledging the unconstitutionality of the interference. The period he alluded to was one of unprecedented heat and irritation, when the House shewed a disposition to go lengths in opposition to ministers, which he believed many of them had since been disposed to allow were unjustifiable; yet neither Mr. Fox nor any of the great men of that day ventured to avow such motives as those declared by his hon. friend on the present occasion.—What was the case then? The reasons for interference then were much stronger than those which could now be alleged. The crown had dismissed a ministry which had great majorities on its side; and the crown did so, in order to appoint another ministry which had not the confidence of the House. He would be glad to know who were the persons that were to compose the principal parts of the ministry? Were they not those who, for the last four years, had been receiving the approbation of parliament and of his hon. friend? Was not the noble lord at the head of the administration (the earl of Liverpool) the same person who had been so long successfully conducting that part of the affairs of the country, which on so many occasions had experienced the approbation of the House and of the public? This was enough to shew that the grounds of proceeding in the one case and the other were totally different.—And yet it was under these circumstances contended against all precedent and principle, that the House should go up to the throne for the purpose of advising the Regent as to the choice of his servants. He here found it necessary to allude to some facts which were pretty generally known; and in doing so, he could not be suspected of any private motive, for, without going into the circumstances connected with that event, he had to state, that he was no longer a member of the administration. The manner in which certain propositions had been made, had been animadverted on that night, but he did not think that his right hon. friend (Mr. Canning) would say, that those offers were not made in perfect sincerity, and in the wish and hope that they would be accepted. He could perfectly understand the grounds on which his right hon. friend had declined those offers; but he only meant to say that they were made in perfect sincerity. As far as related to the motion of which his right hon. friend had given notice—(Mr. Canning's notice relative to the Catholic question for the 28th of this month)—he apprehended that if he had accepted office, the necessity for bringing forward that motion would be superceded, because it would then have been in his power to direct the attention of his colleagues to the subject in a more efficacious manner. But he understood there were other grounds for the refusal of his right hon. friend, among which was the treating the Catholic claims as a government question—whether his right hon. friend would have persisted in this new view of the subject he knew not; if he did, it would indeed have proved a bar to his right hon. friend's admission into the present ministry; but of this he was certain, that the proposals which had been made to him were made with sincerity, and that their rejection was received with regret. He did not mean to impute that rejection as any fault to him, but he knew that it excited extreme concern on the part of government to find, that his right hon. friend could not be brought to strengthen their administration. With respect to the opinions held on the principal topics at issue, he had papers which fully explained them, but which, at this moment, he did not feel himself authorised to produce, and he asked his right hon. friend whether he had not seen such a statement? To recur to the subject of the motion, he could see no ground for supposing any inability in the noble lord at the head of the government; for that noble lord was the man, who, ten or eleven years ago, had been characterised by Mr. Pitt as the individual most fit to succeed to the first office in the government, from his talents, integrity, and extensive acquirements, with the sole exception of Mr. Fox. As to the motion now before the House, he could not conceive how his hon. friend could reconcile it with the votes which he had been accustomed to give. He felt little disposed to enter into any political contention: or to say any thing that could give offence, but he could not help referring the House to the principles that had governed, and to the practice that had been pursued for four years by the last administration, and to the majorities by which its measures had been supported, and asking whether it could be imagined, that members would be acting a part agreeable to their constituents, by adopting the motion proposed for the purpose of destroying a government, which had hitherto received the highest approbation throughout the country? Had he no other objections to the motion, this alone would be sufficient to determine his vote: he could not believe it possible, that it could now be carried by a majority of the House, unless they were prepared to say, that all those measures which had been hitherto approved, as essential to the glory and security of the empire, were in reality detrimental to its best and truest interests.

Mr. *Canning* spoke to the following effect:—It was my wish and my intention, to have avoided troubling the House in the course of the present debate; not because it might be presumptuously supposed, that in the motion for an address, for a strong and efficient administration, there was any thing personally reflecting upon myself, founded on transactions, which owe their birth to the few last days, but because I was aware, that whatever I might urge upon the subject, would naturally be attributed to individual feelings, which I can assure the House it has been my most earnest endeavour to dismiss, on the subject of the application which has recently been made to me. The speech, however, of my right honourable friend who has just taken his seat, has placed me in a situation, in which, if I did not answer the call he has made upon me, I might be justly accused in the first place, of disrespect towards him, which is far from my intention: and in the second, of disrespect to the House, which is equally distant from my mind. He will allow me to say, without any sentiment of unkindness, that I think the call has been made a little unfairly.—Whatever has passed verbally without these walls, by an absolute agreement between lord Liverpool, who made the proposition, and myself, was reduced to writing, that it might be less subject to misapprehension, or perversion, and to that minute, an answer upon paper was returned by me, to which, standing at the bar of my country, to answer for my conduct, I beg leave to refer—I know that here I cannot technically refer to it, and I know that thus a technical advantage may be taken—an unworthy advantage may be taken—and when the honourable member for Yorkshire tells me that the House can have no cognizance of such correspondence, I acknowledge that it is perfectly true, and I cannot help wishing that my right honourable friend (Mr. Ryder) who spoke on the same side, had availed himself of the useful precept which was thus afforded. What I complain of is, that he has travelled out of the record which by special contract between the parties, was allowed to comprise the whole case.—He has gone beyond the written proposal and my written answer. I am sorry that he has done so, because he has put me under the unavoidable, but disagreeable necessity of doing what was farthest from my intention, when I entered this House, and what is in direct opposition to all my feelings;—viz. drawing a contrast between my own conduct, and that of others for my own vindication.

I have been asked whether, supposing I had accepted the offer that was made to me, I should not have felt myself at perfect liberty to act as my own opinions should dictate upon the great question which constitutes the main bar of separation? I reply that, as a minister, I know I should have been at liberty: I do not mean to assert, that if I had joined the present administration to fight against my own principles, under the banners of the noble lord, I should not still have had the power of making my solitary speech, and of giving my solitary vote in support of opinions I had previously maintained—I will not even say, that there may not be honourable minds who would be satisfied with such a distinction, and it may be my misfortune or my fault that mine is not a mind of that construction. If, when out of office, I have lent to any cause that I deemed just my influence and my authority, I never can consent to accept office under the condition that I shall instantly divest myself of that influence and authority which ought still to be my companions, and to leave them on one great and vital question in open and wilful abeyance. I beg the House to observe, that these painful explanations are extorted from me: I could refer them to the cool, deliberate compositions of my closet, but I am compelled here to stand forward while they are wrung from me by the unfair conduct of a debate. I am most unwillingly placed in the situation I now occupy, and obliged for my own justification to appear to throw imputations upon others.

I perfectly concur in the general doctrine laid down, that it is the exclusive prerogative of the crown to nominate its own ministers: I admit that the case must be urgent indeed to authorise the interference of the House; but I cannot forget that parliament has a double character. The House of Commons is a council of controul, but it is likewise a council of advice, and I think the man ill-read, not in your Journals, but in your constitution, who should say that no case of such transcendant importance could exist, in which it would not be competent for the legislature, by the timely interposition of advice, to prevent the necessity of controul.—The right hon. gentleman who spoke last, has resorted to a very dangerous species of argument, even when most dexterously handled, by attempting to shew the absurdity of one thing, by exemplification and comparison with another. His reference was made with peculiar infelicity.

In 1784, he says, times of peculiar turbulence, the House never thought of interfering with the crown in the appointment of its servants. Though triumphant majorities were headed by transcendant talents, so high and extravagant a flight as interposition in the nomination of ministers was never contemplated, but to keep within the bounds of the constitution, parliament addressed the sovereign for the continuance of their own existence! If the proposition of this night had been as it was in 1784 to address the crown against a dissolution, then indeed it might with some plausibility have been urged that the House was advancing a step too far—then indeed the right hon. gentleman might exclaim, that the great landmarks of the constitution were thrown down; that the king was deprived of his controuling power, and that the House of Commons was erecting itself into the tyrant of the realm, instead of remaining merely the representatives of the people. While I am thus arguing in favour of the motion of the hon. gentleman, the House and he will allow me to state that I utterly disclaim any privity to his intention of submitting it. I can truly assert that no man admires his vigour and independence more than myself, and there is no man whom I should be more proud to call my friend; but standing in the situations which we respectively hold, if I were to have indulged a conjecture on the subject, and were to have considered who would have been the first to have brought forward a motion of censure upon my conduct, I should have named that hon. member; and if the House is taken by surprise, I can, with the utmost sincerity, assert that its astonishment at the nature of the motion, and at the quarter in which it originates, is not equal to my own.

In the early part of the debate, the hon. gentleman who moved that the other orders of the day be read, made an allusion which was liable to some misapprehension.—I wish, however, previously to say a word or two upon the nature of his amendment. —What, Sir, are we come to this? How is an unprecedented motion, shaking the very foundations of the throne—aiming a deadly blow at the prerogative of the crown, inverting the march of the constituent powers of the state, met by the administration? By an amendment, proposing the reading of the other orders of the day. They do not come forward boldly maintaining the principles of the constitution, demanding that such an unheard of motion shall be deliberately investigated with closed doors, and exclaiming, 'Down with the audacious innovator!'—but they content themselves with very simply moving the orders of the day! This too, be it never forgotten, by a government which calls upon the House and the country, to declare that they are strong, efficient, and fully competent to conduct the arduous duties of the state, in these most arduous times. This specimen, I think, will be allowed to be a fair indication of what we may hereafter expect from their boasted ability and vigour. The allusion which I noticed as being liable to misconstruction, was made in the early part of the speech of the mover of this celebrated amendment, where he stated that I had demanded some concessions of principle as the price of my acceptance of office. To refute this assertion, I beg leave to refer him and the House to my recorded opinion. I merely enquired of lord Liverpool, as a matter of information, whether the policy and sentiments of his colleagues continued the same, and I was answered by my noble friend with the candour and manliness that have distinguished him in every part of these transactions, as well as through life, that his own opinions upon this grand topic remained unchanged, and he was not aware that those of his colleagues had undergone any alteration. I here once more protest, and protest complainingly, that I have thus been dragged into a reconsideration of the subject, and I hope the House will not forget that I have been far from seeking the occasion. When I was thus informed of the settled and confirmed opinions of the head of the government, honoured with the chief confidence of the sovereign, and possessing all the influence and authority which that ostensible situation affords, could I doubt for an instant their practical effect on the other members of the cabinet? Could I hesitate as to their operation upon any attempt at a practical proceeding? My right hon. friend tells me, that if I would have consented to have formed a part of the administration to be established, the motion of which I have given notice would have been wholly unnecessary, as I should then have had an opportunity of calling the attention of my colleagues to the subject. I would ask any rational being what would have been the probable—the certain result? I should have moved it in the cabinet to be beaten there, instead of moving in the Commons to be beaten here; I consider myself bound rather to move it here, and to be beaten here, and for this obvious reason, that it may appear to the public that the pledge I gave has not been forfeited, and that I have used my best exertions to carry my object into execution. I have never stated an opinion, nor do I hold it, that concessions to the Catholics, unrestricted, unqualified and precipitate, were either politic or just.—Other honourable men may entertain conscientiously different sentiments, but I am bound only by my own, and those have always been uttered in one direction.

When my right hon. friend spoke of opinions that I had recently adopted, I apprehend he cannot mean to state that they are such as I have not long held, and such as he has known that I have long held. He says they are recently adopted—I say I have not recently adopted them, I have ever entertained them, but I have often avowed in this House, that on a fair comparison of conflicting duties, while the third branch of the constitution was hostile to the measure, I thought it better for the country, better for the cause, better for Ireland, and better for the Catholics themselves, that I should raise my feeble shield between the crown and the question. I felt it my duty at that period not to hazard the peace of the empire, and the peace of mind of a venerable sovereign. I maintain then, that the right hon. gentleman has no right to say that these opinions with me are of recent adoption. It is, however, a little too much to expect, that what I then yielded to the conscience of a sovereign, I should now yield to the convenience of a minister. For my conduct on this subject I have long laboured under misconstruction and obloquy, and I protest that I would have suffered under it with patience to the last hour of my life, rather than have sown with thorns the pillow of my sovereign. It is, however, rather an unreasonable expectation, that I should approve of the policy of a minister because I had submitted to the irremoveable conscience of a king. I should not have been more scrupulous with regard to the sentiments of my late much lamented friend, and shall I now submit to the prejudices of an individual who has succeeded him at the head of affairs, and whose opinions nearly, though not perhaps entirely, coincide with those of the right hon. gentleman now no more? Personal objections to the noble lord, I declare I have none; I am actuated by no feeling of rivalry, and with this particular question excepted, I could have no earthly hesitation either in acting with, or under him; but I cannot allow, that the predominance of his opinion shall stifle mine. I cannot enter the cabinet, pretending not to know, that the influence of the noble lord will be such as to paralyze all my feeble efforts there.

But do I therefore demand concessions to my opinions? None! all I ask is, that the subject shall be fairly and deliberately considered, with a view to the arrival at some practical conclusion, and that it should be investigated where alone it can be done with the hope of a favourable result, in the cabinet. My desire was, not to obtain concessions, but to ascertain to what extent conscientious men in the discharge of a public trust would go; it was to this consummation that my anxiety was directed; I required only that the important topic should be considered, the question demands it, you ought to give it, and I will add, that ere long you must give it. As another opportunity will shortly be afforded me of more minute explanation, I have not now attempted more than to free myself from the misrepresentations of which the hon. mover, I am certain, and my right hon. friend, I hope, were unintentionally guilty. My right hon. friend has put to me a most unfair question, but since it has been proposed I will answer it. He enquires whether I have not seen a statement of the opinions entertained by the cabinet upon the subject of the Catholic claims? I have seen it. I do not like to speak in disrespectful terms of any paper evidently the production of great labour and study, but I am compelled to notice it, for here, again, I would entreat the House to bear in mind that I have not courted this discussion. I admit that the abolition of the Jesuits completely exonerates that order from the charge of having drawn up this document, but such an extraordinary pledge of what a cabinet intended to do, I never saw. Not two of the members agreed in opinion, and I thought that it would be little consolation that another individual should enter the cabinet with yet another shade of difference. I imagined, before I obtained a sight of the document referred to, that it comprized all the philosophical principles combined, that all the lights of abstract reasoning and profound theology were there concentrated to a point, but, after perusing it with the utmost attention, I returned it with a note, written in perfect good humour, stating, that as far as I had been able to make it out, it appeared to me to be of a controversial nature.—Such was the answer, which, in perfect simplicity of heart, I returned yesterday; I really did not know what other answer to give; but to what did this answer amount? Practically to this, as far as I could comprehend it; but, indeed, it is unfair to impute to the cabinet any opinion, because, collectively, it has none, and the retrospective influence upon my mind (for I did not see this curious production until after the negociation had been closed,) was, that if I had joined this *hortus siccus* of dissent, as Mr. Burke once termed it, we should have formed as beautiful a variety as was ever assembled in so small a collection. But amidst such unprecedented differences, on which side is the influence and authority of government enlisted? That is the main question; this man may hold a blue opinion, another a white, a third a green, a fourth a yellow, and a fifth a red, but with which of these shades does the sentiment of government most nearly accord? Undoubtedly this point will be decided by the individual, who, holding the principal office, pre-eminently enjoys the confidence of the occupant of the throne, and the additional weight he adds to the scale must overbalance the remainder. I could not, therefore, feel that I entered the cabinet with honour, if I consented to give there a mere barren solitary vote. I trust, although not very fairly put upon my trial, that my conduct is completely justified in the eyes of the House and of the country.

To all that has been said regarding the mode in which the overtures were made, I most heartily subscribe; and no man can pronounce a panegyric upon the demeanor of my noble friend, which I will not cheerfully second: I have known him for nearly 20 years, and during that period the warmth of my friendship has progressively augmented. I cast no slur upon the motives that influenced him or his colleagues: I believe, nay, I am convinced, that they conscientiously entertain different sentiments. Here I beg, once for all, to state, that the point on which we differ is this—not, as has been constantly and studiously misrepresented, whether we shall instantly concede, but whether this be a question which, in the present temper of the times, in the present state of Europe, in the present convulsions of the world; at a period when the public mind is in a ferment, when you cannot dispose of the subject with a wish, or strangle it with a hair, and when you are not able to set it at rest by the strong arm of power, the government should not do that which is best in my opinion, and next best in the opinion of the present servants of the crown, allow it to come before the cabinet for decision. Thus would the public anxiety be allayed, and those repeated annual discussions, fruitless of any thing but evil, be once for all concluded. In affirming that the Roman Catholic claims should not now be agitated, ministers beg the whole question. I do not say that immediate concessions should be made: all I claim is, that this body of people should be sheltered under the protecting wing of the legislature: that their case should be placed in the hands, or in the portfolio of the executive government. By those means, and those only, can you ensure to Ireland a happy and peaceful summer, and to the empire, confiding and lasting tranquillity.

When my hon. friend opposite, the member for Yorkshire, asserts that measures and not men, were to be the main topic of consideration and animadversion, he seems to have forgotten that I, one of the principal actors in the scene which has lately been displayed, have been imperiously called upon for a justification of my conduct; he does not recollect that even my reputation is at stake. He, of all others, is the one who would pay most attention to individual character; he will not say that if you deprive the present race of pigmy men of reputation, you destroy almost every claim they possess to the gratitude of the nation, and make them unworthy of the country in which they were born. On my part, I can assert with the most perfect sincerity, that no disposition has been shewn by me to decline sustaining my share of the burden of the state in these perilous times. My anxiety has been to make them less perilous, but upon this great question I have seen not only no desire to grant any thing to the Catholics, but not even a disposition that an enquiry should be instituted. The noble lord seems by his gestures to express dissent from my statement. I am happy to remark it, and if within the last eight and forty hours, any change of opinion should have taken place; if the various shades of sentiment have been amalgamated into one general and pleasing tone; if it is now thought that the question ought to be considered, I do not desire to take advantage of it by accepting any place, being myself out of the question, but although out of office, I shall hail this alteration of opinion with a joy as sincere as if I possessed a seat in the cabinet.

Lord *Castlereagh* admitted, that according to the constitution, parliament had a right to address the crown on urgent and important occasions to prevent the execution of measures that were deemed by the House injurious to the welfare of the state. Before, however, a step were taken upon ground so seldom trodden, it would be well to examine its firmness and solidity, and to consider maturely whether the causes which induced it were adequate to the effect. He approved highly of the manner in which this motion had been met by the amendment for passing to the order of the day, since the direct negative might have been subject to serious misconstruction. The right distinction had been taken, when it was said, that the House was not by circumstances justified at this moment to interfere, not that it ought not to interpose at all. As a general admission he was ready to agree, that at no period of our history was it more necessary that a government should be formed of the united talent and honour of the nation; at no period was it more necessary that a strong and efficient administration should be selected, that their combined efforts might tend to the salvation of the state in these times of peculiar danger. He submitted, that in the proposal made to lord Wellesley, and his right hon. friend, the crown had acted from the dictates of a sound discretion, and if with honour the offer could not be accepted, it was the duty of those to whom it was suggested to reject it. The laudable object of his Royal Highness was to form a broad and stable administration; precedent shewed that there might be obstacles in the way of its accomplishment, which it might be impossible to over-step. In 1783 two months of interregnum had occurred, during which the individual holding the chief office under government, declared that he found it impossible to form an administration like that which had lately been attempted. His lordship did not dare to predict that such a calamity would again ensue; if gentlemen intended that it should return, he called upon them to avow it, and to take the sense of the House upon it. He lamented that the hon. mover had not thought it right to declare more explicitly what in his view, the crown had attempted, and what it ought to have done. The right hon. gentleman who spoke last had noticed one great question, on which differences of opinion prevailed, and he seemed to have forgotten all other matters in dispute, some of which were of scarcely less magnitude; even upon that solitary subject he had not favoured the House with one practical idea, or with one reason why the sentiments of so many others should yield to his opinion. Before the House voted by a concurrence with the motion, that the sovereign had not done all in his power to attain the desired object, it would be fit to enquire, whether nothing stood between the crown and the formation of the government, so much desired by all parties. For himself and his colleagues, he asserted, that they had interposed no obstacles. If, however, they had sought to shelter themselves from the pelting of the supposed storm, gathered by their measures, by a voluntary retirement, animadversion might have been justly bestowed; if they had given the pusillanimous advice, that because the hand of an assassin had deprived the government of one of its members, that administration should be removed, they would indeed have merited to be stigmatized as the basest of mortals. Under such a cover they disdained to place themselves, and they had ventured to hope, that those who for four years had successfully conducted the affairs of the kingdom, had not forfeited all claim to the confidence of the sovereign, by the unfortunate death of one individual. He hoped he should not be considered as trespassing too much on the attention of the House, or of indulging habits which were too familiar to him, if he offered to their consideration a few words respecting himself. He wished to justify himself in the opinion of the House, by stating fairly and distinctly what the views and principles were on which he had acted. He had felt it to be his duty at a time, when, for want of abler assistance, a more effective and desirable arrangement could not take place, not to abandon his situation, or withdraw his humble services from the government. He believed it was not necessary for him to acquit himself of having entertained any feelings of impatient ambition, or from the charge of having acted from any other motive than a desire to support those principles to which he had always adhered, at a period when they seemed to be put to hazard. So far, indeed, as his own personal honour was concerned, (and he hoped that it would never be called in question, as he held that it would be then next to lost) he was happy in a perfect consciousness that he had omitted no effort to prevent any considerations personal to himself from interfering with the formation of an arrangement on an extended basis. Aware that his presence might have embarrassed government in prosecuting the object of availing themselves of those talents and connections, which were deemed to be advantageous for the promotion of the interest of the state, he had felt it his duty to tender his resignation to his Royal Highness. This he had done, not from any wish to shrink from the difficulties of an arduous employment; those who knew him best, he was sure, would admit that his nature was incapable of such a sentiment; but he had so acted exclusively from a sense of duty, and an earnest and sincere desire to put himself altogether out of the question. He had tendered his resignation, and had done so with an anxious wish that it should be accepted. He was no party whatever to those negociations which had recently taken place, but he did think the right hon. gentleman had pressed a little too hard on his right hon. friend near him, and his hon. friend the member for Yorkshire. Were they to be told that the publication of documents in the Morning Chronicle, (and some wonder might reasonably be entertained, that this publication should have been so speedy) was a proper or sufficient ground for any parliamentary proceeding? The right hon. gentleman had no doubt acted on feelings quite satisfactory to his own mind on this occasion; he himself had not seen these documents till yesterday, but he did consider it the duty of every man to refuse his services to an administration, if he was conscientiously of opinion that those services could not be beneficial. But the right hon. gentleman refused the assistance and co-operation of his talents, because he could not carry a particular point. His great and only principle of objection to acceding to the present ministry, was, that the Catholic question was not to be taken into consideration. But ought he not to have apprised the House what his practical opinion on the subject was, what was the plan by which it appeared to his judgment, that the measure to which this consideration pointed, might be ultimately carried into execution? Did the right hon. gentleman mean to say, that the present moment, and under all the circumstances of the disturbed domestic situation of the country, was a period peculiarly favourable for conceding to the Catholics with perfect security to the state? Was the House then, upon the vague plea of giving the subject their consideration, to conceive themselves bound to gratify the right hon. gentleman in constructing a new admistration? The hon. gentlemen on the opposite side of the House, with some few exceptions, pursued a more manly policy, and declared themselves openly the advocates of unqualified concession. He felt as strongly as any man that the question itself was a cardinal and fundamental one to the interests of the country, but it was ridiculous to talk of creating a government simply for its discussion. It appeared to him that the right hon. gentleman ought in candour to have acquainted the House that he was ready to submit a distinct proposition, founded on his practical view of the question, and also to have laid that proposition before them. From the first moment of the Union being accomplished he had himself been uniformly friendly to the claims of the Catholics. He had never made the question a political engine, or an instrument of supporting or overturning any administration. (Hear! from sir J. Newport.)—The right hon. baronet was fond of his own music, but he apprehended little from his interruption, as he had lately shewn himself a very inaccurate reporter.—Whenever it could be shewn that the Catholic body were prepared to concede those securities which he had always deemed necessary, and which had appeared to be so both to Mr. Pitt and lord Grenville, he should be willing to espouse their claims; but he never would suffer it to be made a stalking-horse for the mere purpose of embarrassing the government, at a period when objects of so much greater magnitude occupied the attention of the country. He was not disclosing state secrets, for he had, in acting both with lord Sidmouth and Mr. Perceval, stipulated to express his own individual sentiments at all times on the subject, when he explained what his conduct had been with regard to it. He would be a base and ungrateful man, if he were not readily to acknowledge that the Catholics had materially assisted in accomplishing the measure of the Union, but he denied that any positive and particular pledge was given to them at that period. His own language to them, and the language of lord Cornwallis, had then, as well as subsequently, been, that there were practical difficulties which time and a spirit of mutual concession and conciliation could alone overcome. He had supported, when a member of lord Sidmouth's cabinet, strenuously supported, the measure of a provision for the Catholic clergy.

Before he quitted that administration he received an assurance that the measure should be recommended to his Majesty; but it never was carried into effect because in the mean time the Catholic clergy had changed their opinion of it, under the idea that it might prove injurious to their own interests. The Catholics themselves ought to come forward, and declare what precise measures they wanted. He saw no occasion for laying upon government the task of considering their claims, but rather that the whole attention of administration should be bent to the great difficulties in which the country was placed, and above all, to the conducting of the war in the peninsula on the largest possible scale, particularly when the affairs of Europe were now at a most important and interesting crisis. He had heard something of the necessity of carrying on the war in the peninsula on a more extensive scale; but he should be glad to know how that could be done. The scale of warfare was the largest, the most expensive, and the most disinterested, at least as far as Spain and Portugal were concerned, of any in which the country had ever been engaged. How could it be said to be neglected, when this country was actually expending at the rate of twenty millions a year in the great cause of the peninsula? In this sum were of course included the supplies and subsidies afforded to our allies, as well as the pay and maintenance of our own armies. Under these circumstances, to say that there was any abandonment of the cause of the peninsula was an unjustifiable imputation on the government. He concluded with deprecating the stamping of a stigma on an administration, the whole of which was not yet before the House; and contended that nothing was more impolitic than to throw discredit on a government, when there was little prospect of substituting a better in its room

Mr. *Canning* explained. The noble lord had put to him the question, why he had dwelt so much on the points on which he differed from ministers, and not on those on which he agreed with them. The simple and obvious reason was, because he felt himself called upon to answer to the one point, and not at all to the other.

Sir *John Newport* affirmed, that notwithstanding the repeated allusions of the noble lord he would still persist in bringing forward against him the foul charge of not having fulfilled the promises, by the means of which he had effected the Union, and that charge he would repeat till the hopes then falsely held to the Roman Catholics had been fully realized. The noble lord had rightly stated that no absolute pledges had been given, but there were engagements more binding on honourable minds than the most formal written agreements. These, however, the noble lord had totally disregarded, and still boasted, as it suited his convenience, of his steady friendship to the Roman Catholic cause. The noble lord had vindicated his own sincerity; and certainly he had great reason for undertaking that task. It was not surprising that he whose own country had loudly accused him of violating every public principle, should be anxious to defend himself from suspicion in this. As to his observations on the practical difficulties that attended the question, was he blind to them at the time of the Union? Was he blind to them in 1801? The noble lord had boasted of his favourable disposition towards the Irish Roman Catholic clergy; but how had he acted in the business of the Maynooth college? The Irish Roman Catholic clergy had, however, much to their credit, refused the grants proposed in their favour by the noble lord, as they were unconnected with the emancipation of the Catholics at large; and this circumstance he was persuaded, must convince every thinking mind that an actual arrangement had been entered into, which being only in part executed, the Irish Roman Catholic clergy had very properly refused that share which was to be allowed to them at the expence of their flocks. Adverting to the base, sinister, and he would call them dirty bargains, by which the noble lord had effected the Union and purchased the parliament of Ireland for lucrative considerations, he remarked that all those underhand agreements had been most scrupulously fulfilled, but the national faith pledged had never been redeemed. Whatever the noble lord might be pleased to say about the perpetual ringing of the same changes, he could assure him that he should continue to ring the same tune in his ears so long as he sat in the same assembly with him, and his character remained marked, as it now was, by repeated pledges unredeemed, engagements forfeited, and by the dirty trafficking for seats in parliament—means which he had not scrupled to use, and by which he had succeeded in depriving Ireland of her parliament.

Mr. *Martin* of Galway said, the noble lord appeared to him to labour under no small degree of embarrassment and confusion, in supposing that any specification was necessary to enable the House to ascertain what the objects and claims of the Catholics were. They were fairly described in the prayer of their Petitions, and it remained only for government to consider and state the conditions on which they were willing to make the required concessions. It was at least as incumbent on the noble lord (and in his judgment a little more so) as it was upon the right hon. gentleman on whom the noble lord had called, to declare what were the terms and the mode on which he was willing to agree to that emancipation which he declared was so desirable. It seemed to him to be peculiarly the duty of the noble lord himself to shew his hand and produce his game, considering his situation. He would vote for the order of the day if he could be assured that an administration was forming of talents and character, and not those whose names he had seen in the newspapers.

Lord *Castlereagh* in explanation said, that in calling on the Catholics to state the conditions they were willing to offer, he meant to guard against the tergiversations of which the country had witnessed several instances.

Mr. *Wortley*, in reply, declared that he had seldom heard in that House, a speech, containing so many unconstitutional assertions, as had been delivered that night by the hon. member for Yorkshire. For himself he would say, that he had taken particular care not to pledge himself to oppose, or support, this or that government. He conceived that it was quite practical with very little sacrifice of public opinion to form an efficient administration; and he thought the noble lord had failed to prove, that all had been done which ought to have been done, to form an efficient administration.

The House then divided—

For the previous question.........170
Against it..........................174
Majority..........................—4

The motion of Mr. Wortley was then carried without a division.

Mr. *Wortley* immediately moved, "That the Address should be presented by the whole House."

Mr. *Yorke* opposed this motion, and moved the previous question.

Mr. Wortley then withdrew his motion, and moved "That the said Address be presented to his royal highness the Prince Regent, by such members of the House as are of his Majesty's most honourable Privy Council."

A division ensued—

For the motion.....................174
Against it.. 176
Majority.........................—2

Mr. *Wortley* expressed his utter surprise that a motion of such high importance as he conceived the present to be, carried by a majority of the House, in which there were present 350 members, should from any circumstance of management or finesse remain as a dead letter. He hoped, however, the House would not suffer themselves to be left in such a predicament, but would take such measures as should be fully adequate to carry the Resolutions they had passed into complete effect.

Admiral *Harvey* said, he had been in the majority on both these motions; and he wished to explain the reason how——

The *Speaker* reminded the hon. member that there was no question before the House.

Mr. *Whitbread* said, he would put the matter into the shape of a motion. The House appeared to him to be placed in a most extraordinary situation. They had been that night debating on the commencement of an administration that was not yet formed. A motion of the highest importance had been brought before the House, and carried against ministers by a majority of four. After this, an hon. friend of his under the gallery had moved that the Address to the Prince Regent, which had just been voted, should be carried up by the whole House, which had afterwards been withdrawn, and a motion made that the Address be presented by such members as were of his Majesty's Privy Council. This was opposed by a right hon. gentleman opposite, lately at the head of the Admiralty, who complained that the very small majority which had been obtained, was owing to eight members being shut out on the division, who would have voted against it. Here, then, were eight members who had neglected their duty. For where could the duty of a member of parliament be more imperiously called for, than by his attendance in this House on a question of such magnitude and importance as the present? He should be glad to know how far they were to go—was it expected they should go or send round to all those members who did not choose to stay in the House, but retired to take their tea or other refreshments in the adjoining coffee-houses, to ask them which way they would be pleased to give their votes?—or would any of the constitutional members of the House of Commons be pleased to inform the House, what, in such cases, ought to be done? Would those gentlemen who had the constitution for ever in their mouths, now stand forward and say, that a resolution, carried by a majority of the House, in which there were present 350 members, should remain a dead letter? Would these hon. gentlemen, who had such a high regard for the constitution, wish so deeply to degrade the House of Commons, which formed so essential a part of it, in the opinion of the people? The right hon. gentleman, and the noble lord near him, complained of the small number of the majority, which was four. He (Mr. W.) remembered a question in which he voted in that House, when the numbers were equally divided, and the right hon. gentleman in the chair, by his single vote, gave the majority; and on that occasion the Address was carried up by the whole House. He was sorry the motion to that purport had not, in the present case, been persisted in; if it had, the noble lord and the right hon. gentleman would not have been able to vote against a question they would otherwise have been glad to adopt. There was, however, evidently a piece of trickery and finesse in the proceeding, and he would, therefore, beg leave to apply to the superior wisdom and experience of the Speaker, to point out what would be the best motion to make, to extricate the House from the unexampled and disgraceful situation in which it was then placed.

The *Speaker* said, he knew but of two modes by which the House had ordinarily proceeded; the one was, that the Address be presented by such members as are of the Privy Council, the other by the whole House, the first had been negatived, the other remained to be decided.

Mr. *Whitbread.* Are there no other modes?

The *Speaker.* Other modes may be devised, but they are not regular or customary.

Mr. Whitbread was about to speak—when Admiral *Harvey* rose to order. He (admiral H.) had been called to order, because there was no motion before the House. An hon. member, certainly possessing greater weight in parliament than he could pretend to, had interrupted him, and taken up the time of the House. He now called on the Speaker not to permit any person to address him till there was a motion submitted to their consideration.

Mr. *Wynn* observed, that a course different from those two specified by the Speaker was pursued when the Address was presented on his Majesty's recovery.

Admiral *Harvey* again spoke to order. If any person were permitted to address the chair, no question being before the House, he felt he had a right to claim that indulgence, having first attracted the Speaker's attention.

The *Speaker* said, although the general rule was, not to address the House, when there was no question before it, still, if any hon. member put a question to him, he felt it his duty to answer it as satisfactorily as possible. The instance quoted by the hon. and learned gentleman, was certainly correct, and he could adduce several others of a similar description; that, for example, which occurred after the illness of queen Anne, where it was considered, that the ordinary mode of presenting the Address would be inconvenient; and, therefore, a specific and limited number were selected for the purpose. Still, however, he believed, the usual and regular modes were confined to the two he had noticed; and he thought it his duty to call the attention of the House to consider, whether they would proceed to extraordinary means before having tried those which were ordinary.

Mr. *Wynn* said, a different course had sometimes prevailed when Addresses of congratulation were presented—and, in support of his position, he instanced the Address on the marriage of the Prince of Wales. He would therefore move—"That the Address be presented to his royal highness the Prince Regent, by Mr. Stuart Wortley and lord viscount Milton."

The *Speaker* said, he would proceed to put the question; though, if they adopted that mode, or any other, save one of those to which he had alluded, it would be a departure from the course usually adopted by the House.

Mr. *Wynn* expressed a wish to withdraw his motion.

The *Speaker* said, as the question had been regularly moved and seconded, it was his duty to put it to the House, which he then did; adding, that the hon. member who made the motion had afterwards expressed a wish to withdraw it, in which desire, however, it was necessary the House should concur.

Lord *Castlereagh* expressed himself satisfied the Address should be presented by the mover and seconder. He had not wished the hon. gentleman (Mr. S. Wortley) to withdraw his motion for the whole House to go up with the Address; but, if it were again proposed, he would negative it, in order to support the proposition at present before them.

Mr. *S. Wortley* said, he felt no unwillingness to undertake the task; for he should consider the day on which he presented the Address as the proudest of his life.

The motion that the Address should be presented to the Prince Regent by Mr. Stuart Wortley and lord Milton, was then agreed to without a division.

List of the Majority.

Abercromby, hon. J.
Adair, R.
Agar, E. F.
Anstruther, sir J.
Antonie, W. L.
Althorpe, visc.
Bagenal, W.
Barham, J. F.
Baring, A.
Bewicke, C.
Bennet, hon. H.
Biddulph, R. M.
Binning, lord
Blachford, B. P.
Bourne, W. S.
Bouverie, hon. B.
Brand, hon. T.
Browne, A.
Buller, sir E.
Burdett, sir F.
Burrell, hon. R. D.
Buske, W.
Calcraft, J.
Canning, rt. hon. G.
Canning, G.
Cavendish, lord G.
Cavendish, H.
Chaloner, R.
Cockerell, sir C.
Cocks, J.
Coke, T. W.
Coke, E.
Colborne, R. W.
Combe, H. C.
Cotes, J.
Cuthbert, J. R.
Daly, rt. hon. D. B.
Dent, J.
Dickinson, W.
Dillon, hon. H. A.

Drummond, H.
Duncannon, visc.
Dundas, hon. L.
Eden, hon. G.
Ellis, C. R.
Ferguson, R. C.
Fitzgerald, rt. hon. M.
Fitzgerald, lord H.
Fitzpatrick, rt. hon. R.
Fitzroy, lord W.
Foley, J.
Folkes, sir M.
Folkestone, visc.
Forbes, viscount
Frankland, W.
Fremantle, W. H.
Giles, D.
Gordon, W.
Gower, earl
Gower, lord G. L.
Grattan, right hon. H.
Greenough, G. B.
Grenfell, P.
Grosvenor, gen.
Hamilton, lord A.
Harvey, E.
Hibbert, G.
Hippisley, sir J. C.
Horner, F.
Howard, H.
Howard, hon. W.
Howorth, H.
Hughes, W. L.
Huskisson, W.
Hussey, T.
Hutchinson, hon. C.
Jackson, J.
Jacob, W.
Jekyll, Jos.
Knight, R.
Knox, hon. T.
Lamb, hon. W.
Lambton, R. J.
Langton, W. G.
Latouche, R.
Leache, J.
Leigh, R. H.
Lemon, sir W.
Lemon, J.
Lemon, C.
Lester, B. L.
Lloyd, J. M.
Lloyd, sir E.
Lyttleton, hon. H.
Macdonald, J.
Madocks, W. A.
Martin, H.
Martin, R.
Mathew, hon. M.
Maule, hon. W.
Meade, hon. J.
Mexborough, earl of
Mildmay, sir H.
Miller, sir T.
Milton, viscount
Montgomery, sir H.
Moore, P.
Monck, sir C.
Morpeth, viscount
Mostyn, sir T.
Myers, T.
Neville, hon. R.
Newport, rt. hon. sir J.
North, D.
Northey, W.
Nugent, lord
O'Hara, C.
Ord, W.
Osborne, lord F.
Ossulston, lord
Parnell, H.
Pakenham, H.
Pelham, hon. C.
Pelham, hon. G.
Piggott, sir A.
Prendergast, M.
Pochin, C.
Pollington, visc.
Ponsonby, rt. hon. G.
Ponsonby, hon. G.
Ponsonby, hon. F.
Ponthieu, J. D.
Power, R.
Poyntz, W. S.
Prittie, hon. P.
Pym, F.
Quin, hon. W.
Ridley, sir M.
Romilly, sir S.
Saville, A.
Sebright, sir J.
Sharpe, R.
Shipley, W.
Sinclair, G.
Smith, G.
Smith, J.
Smith, A.
Smith, W.
Somerville, sir M.
Staniforth, J.
Stanley, lord
Stewart, J.
Swan, H.
Talbot, R. W.
Tarleton, B.
Tavistock, marq. of
Taylor, W.
Taylor, M. A.
Templeton, N.
Temple, earl
Tierney, rt. hon. G.
Tighe, W.
Tracy, C. H.
Tremayne, J. H.
Trench, F.
Vanderheyden, D.
Vernon, G. G.
Walpole, hon. G.
Ward, hon. T. W.
Warrender, sir G.
Wharton, T.
Whitbread, S.
Williams, sir R.
Wortley, J. A. S.
Wynn, sir W. W.
Wynn, C. W.
Wrottesley, H.

HOUSE OF COMMONS.

Friday, May 22.

THE PRINCE REGENT'S ANSWER TO THE ADDRESS FOR A STRONG AND EFFICIENT ADMINISTRATION.] Mr. Stewart Wortley appeared at the bar, and stated, that pursuant to the order of the House, he had waited on his royal highness the Prince Regent with the Address, to which his Royal Highness had been pleased to return the following most gracious Answer:

"I shall take into my serious and immediate consideration the Address which I have received from the House of Commons."

ORDERS IN COUNCIL.] Mr. *Brougham* wished to put a question to the noble lord opposite, relative to a circumstance which had very recently transpired, affecting, in some degree, as many people considered it, the construction which ought to be put upon that Declaration, which ministers some six or eight weeks ago advised his Royal Highness to issue in the name of his Majesty. That Declaration stated, that the Orders of Council would be *ipso facto* annulled, as soon as an official document was published by France to inform Europe and the world that the Berlin and Milan Decrees were generally and unconditionally revoked. It had now been stated unexpectedly, and somewhat unintelligibly, that such document did exist as to America. A paper, dated April 1811, which was certainly a good mature age, was offered in answer to our recent Declaration. He could not say whether this date was inserted from a mere clerical error in the French chancery for foreign affairs, or whether from some of the practices of their diplomacy, which to him were unintelligible. This Decree, however, dated in April, 1811, did contain a revocation of the Berlin and Milan Decrees; and our Declaration did also bear, that our Orders in Council were to be discontinued from the period of the repeal of the Berlin and Milan Decrees. The latter did, no doubt, contemplate a subsequent repeal; but still this was clearly within the spirit, though not within the words of the Declaration, and it would only require a Gazette proclamation, to set things to rights. It was clearly not an object of consideration, when the Berlin and Milan Decrees were revoked, but only that an official, unqualified, and unconditional revocation of them should take place. Then the next question was, whether the Decree which was stated to have been lately communicated to this government, was such an unqualified and unconditional repeal of the enemy's Decrees, as made our Declaration attach to the effect of repealing our Orders in Council? (Hear, hear, from the ministerial side.) Was he to understand, then, that it did not so attach? The repeal of the French Decrees, it appeared, was confined to America; was this, however, to be held as sufficient to prevent our Declaration from taking effect? This was what he wished to know from the noble lord; he heartily wished the noble lord's answer might be such as the House and the country wished:—that was, that it might import compliance with the expectation now expressed by him; but, if this should not fortunately be the case, still there was a necessity for some further step being taken on the part of the government of this country. He meant that a publication of the annulment of those Orders in Council would become necessary. If this was not done, then must every individual case come into a prize court, or into a court of law, and the parties be exposed to a harassing and expensive litigation. It was with the view of entreating ministers to take this into consideration, and to rectify the Declaration, that he now brought the subject under consideration. With this view he begged to ask of the noble lord, first, if according to his conception of the French Decree, the date was of consequence? 2dly, if he agreed that this act of the French government was esteemed enough, so as to operate as a repeal of our Orders in Council? 3dly, if both of these points were at an end, then he begged to suggest that it should not be left to speculation what the nature of the Declaration was meant to be; but that an explanation should be published on that subject. The hon. and learned gentleman concluded by moving, "That there be laid before this House, an Account of all sums issued for the clothing of the Army and Marines during ten years ending the 5th of January 1812; distinguishing each year."

Mr. *Rose* had no objection to the motion.

Lord *Castlereagh* felt every disposition to give the hon. gentleman every information in his power, but he must say his questions were put in a more argumentative manner than was customary in that House. He acknowledged, that the government had very lately received a communication of the nature alluded to. The American government had not been able, to the latest period, to procure from the French government any official revocation of the Decrees in question, but now for sinister purposes the French government had thought proper to produce a Decree, dated in April, 1811. Certainly this was an extraordinary step in the diplomacy of France, and was disgraceful to the government of any civilized nation. By this Decree, however, the Berlin and Milan Decrees were not generally and unconditionally repealed, as was required in his Majesty's Declaration, but they were only repealed as far as related to America. He had no objection to state it as his own opinion, that this French Decree, so issued, made no manner of alteration in the question of the Orders in Council. This partial repeal with respect to America, was only declared for sinister and hostile purposes, and it was altogether a trick disgraceful to any civilized government. He could not imagine that the cruelties practised by France towards American vessels would make the less impression upon that country, for so palpable a juggle as this was. He should, therefore, say, that whether he looked to the date of the instrument, or the instrument itself, there was nothing in it to satisfy the Declaration issued by government as to the condition on which the Orders in Council should be annulled. If any individuals thought otherwise, the Declaration assigned a legal redress, if the condition stated in it was complied with.

Mr. *Brougham* begged to be understood as only repeating what he had originally meant to express, that if there was not a clerical error in the date of the document in question, it must be considered as one of those acts which were most unworthy of a great nation. As to the condition, however, on which the Declaration bore that the Orders in Council were to be repealed, he once more implored that it might be reconsidered, and submitted, that though not in the words, yet in the spirit of their Declaration, the government of this country were now warranted in repealing the Orders in Council as to America. The French Decrees being repealed as to the Americans, this was, as to them, the same as if there was a repeal of those Decrees generally.

Mr. *Stephen* disapproved of the premature manner in which the matter had been brought forward. The paper alluded to seemed to him to be singularly disgraceful to the government by whom it was issued; but he was surprised that his hon. and learned friend should, in the present state of affairs, have been so anxious to draw from his Majesty's present ministers, their opinions on the subject of the effect had by that paper on the Declaration by this country. Did he do so, from an impression that those measures which he so strenuously supported, would not be so much in favour as he could wish with that government which was yet unborn?

Mr. *Baring* regretted, that the noble lord should have expressed any decided opinion on so important a point as the policy of continuing the Orders in Council, so far as America was concerned, pending the evidence now in the course of proceeding at the bar of that House, and before there had been time for weighing the importance of that evidence in all its bearings.

Lord *Castlereagh* said, he had given no opinion as to the policy of continuing the Orders in Council, as far as regarded America. He had only answered some questions put to him on matters of fact.

The motion was then put and agreed to.

Mr. *Brougham* also moved, "That there be laid before this House, an account of all sums issued for the purchase of gun and pistol barrels, swords and bayonets, for the use of the navy and marines, for ten years ending the 5th of January, 1812; distinguishing each year."—Ordered.

The House then resolved itself into a committee on the Petitions against the Orders in Council.

HOUSE OF COMMONS.

Monday, May 25.

PETITIONS FROM THE SHIP OWNERS OF SCARBOROUGH—AND THE MERCHANT VENTURERS OF BRISTOL, IN FAVOUR OF THE ORDERS IN COUNCIL.] A Petition of the ship owners of Scarborough, in the county of York, was presented and read; setting forth,

"That the petitioners having perceived, from the votes of the House, that various Petitions have been presented praying a repeal of his Majesty's Orders in Council of the 7th of January, 1807, and the 26th of April, 1809, and that a committee of the whole House has been appointed to consider these Petitions, feel that they should be wanting in duty to their country if they omitted humbly to express to the House the opinion which they entertain upon that most important subject; and that the petitioners most respectfully beg leave to state to the House, that they have, from the first promulgation of these Orders, viewed with approbation the just and necessary retaliatory measures which have been opposed by his Majesty to the lawless and unprecedented system adopted by the enemy for the destruction of the commerce and manufactures of the British empire; and that, in the humble opinion of the petitioners, the repeal of the Orders in Council would, at best, only afford a temporary relief to some of the British manufacturers, while their repeal would give a decided advantage to our enemies, by opening the trade to the continent to neutrals, whereby France, and the countries under her controul, would be relieved from their present difficulties, without alleviating the depressed state of the commerce of this country; but, on the contrary, it is the unbiassed opinion of the petitioners, if this indulgence be granted to neutral states, that it will give to our enemies greater facilities to carry on the war, and afford them better hopes of overwhelming the British navigation laws, whose destruction they have frequently declared to be their principal object; and the petitioners further beg leave to state, that they are sensible of the difficulties which the commercial interests of this kingdom labour under at present, and they also feel the pressure of the times as much as any of their fellow subjects, the shipping trade being much limited and confined; yet, notwithstanding these difficulties, they are willing to submit to any privations which the continuance of the Orders in Council may cause, as they are confident it is the best means of ultimately removing that distress, by compelling the mitigation or the repeal of the French Decrees, and the restoration of the ancient system of commerce and warfare; and that the petitioners have seen, with great concern, the attempts which have been too successfully made to mislead great numbers of industrious and meritorious workmen in different manufactures, by persuading them to ascribe their sufferings to those necessary and indispensable measures of his Majesty's government; but the petitioners have full reliance in the wisdom of the House, and persuade themselves that they will weigh with due attention the interests of every part of the empire; and praying, that the House will not adopt any measures for the purpose of inducing his Majesty to rescind the Orders in Council, until the enemy shall have effectually repealed his hostile Decrees, and suffered the trade of neutral nations to resume its legitimate course."

A Petition of the master, wardens, and commonalty of merchant venturers of the city of Bristol, was also presented and read; setting forth,

"That the petitioners have observed, with great and increasing concern, the industrious attempts of evil-disposed and of ignorant men, to excite the lower orders of the community to acts of tumult and disorder, destructive of their own happiness, and disgraceful to the national character, by various misrepresentations of the causes which have produced a check to our commerce, and a consequent want of full employment in some of the manufacturing districts of the kingdom; and that the petitioners particularly deprecate the unfounded clamour raised against his Majesty's Orders in Council, of the 7th of January 1807, and the 26th of April, 1809, and lament that these misguided men should have been taught to believe that a repeal of those Orders would materially benefit the commerce of the country, and relieve the temporary pressure on the manufactures; and that, whilst the petitioners sincerely lament the distresses at present felt in some branches of the commerce and manufactures of these realms, they cannot forbear expressing their firm conviction that these partial evils are to be attributed only to the unjust, extravagant, and unprecedented Decrees of the ruler of the French empire, issued for the purpose of annihilating our commerce, without regard to the distress of the people over whom he has extended his iron sceptre, or to the rights or interests of nations in amity with him; and that his Majesty's Orders in Council, as retaliatory measures, have been most effectual in destroying the trade of the enemy, and the consequent resource of his revenue derived therefrom, depriving him of all external commerce of the export of the produce and manufacture of France, and the countries which have submitted to his domination, and obliging them to pay enormous prices for raw materials and foreign produce, introduced by circuitous and expensive routes; and the petitioners further humbly submit, that, whilst the enemy, by the wisdom and energy of his Majesty's government, suffers all those distresses and privations, and whilst America is foregoing her neutral advantages by a mistaken policy, the commerce of this realm is finding new channels of intercourse with the continent of Europe, every day improving, by being better organized for the sale of British manufactures and of West India produce, which advantageous trade, carried on in British ships, has nearly superseded the American carrying trade; and that the commerce with South America is almost exclusively carried on by his Majesty's subjects since America has deprived herself of the means of assorting her cargoes with British manufactures; and that the trade of our American colonies is greatly encouraged and encreased both by the demand for their produce and by the introduction of British manufactures through the colonies into the states of America; and that the petitioners, confident that the advantages so secured to the country, have long been apparent to the House, humbly submit, that a repeal of the Orders in Council would deprive this kingdom and its colonies of all these advantages, would destroy the trade now carried on in British ships, and would open the ports of the enemy to neutral nations, would relieve him of the double pressure of his produce and his want of raw materials, would force his manufactures on the markets of North and South America, and throw into the hands of neutral nations the carrying trade now possessed almost exclusively by British ships; and praying, that the House will not allow the clamour and misrepresentation of ill-informed men to induce them to advise the repeal of his Majesty's Orders in Council until the enemy shall have absolutely and unequivocally recalled his obnoxious Decrees, and restored neutral commerce to its ancient rights."

Ordered to be referred to the Committee on the several Petitions against the Orders in Council.

ORDERS IN COUNCIL—CALL OF THE HOUSE.] Mr. *Brougham* wished to be informed how long the examination of witnesses in favour of the Orders in Council, would occupy the attention of the House, because the call at present was fixed for Wednesday next, and he apprehended that the evidence would not be concluded by that day. He was himself perfectly prepared to submit his propositions on the subject to the House, but in consequence of a communication with Mr. Stephen and earl Bathurst, he thought it would be better if the call were postponed until Wednesday fortnight, and his motion on the subject of the Orders in Council were to be discussed on the Tuesday preceding.

Mr. *Rose* stated, that the evidence on the part of government would not occupy more than two or three days.

Mr. *Brougham* observed, that his motion for postponing the call, originated in a wish that so important a subject might not be discussed until the country were blessed with something like a government, and until the sort of interregnum which now existed were hapily terminated.

Mr. *Rose* added, that no man was more anxious than himself that all the arrangements should be as speedily as possible concluded.

Dr. *Duigenan* protested against postponing the call, on the ground of inconvenience to himself and others, who were thus detained in London. He thought that a great deal of time had been very unnecessarily employed on the subject of the Orders in Council, the importance of which had been greatly exaggerated: for himself, he was convinced, that it was of little consequence.

Mr. *Brougham* replied, that it was difficult now, as well as on former occasions, to account for the perverted views of the right hon. doctor. It was the first time he had ever heard it stated by any member, on any side, that a question involving the very existence of our manufacturing interests, was of little or no magnitude.

The question was then put, and the Call postponed until Wednesday fortnight.

MR. HENRY'S SECRET MISSION.] Mr. *Whitbread* observed, that as it would not be expedient in the present state of the government to bring forward his motion for the Correspondence of capt. Henry, which stood for to-morrow, he should postpone it *sine die*. He thought it unnecessary to put off his other motion, regarding the Toleration Act, which was fixed for a more distant day, as before that period, in all probability, an administration would be formed.

The House then resolved itself into a committee on the Orders in Council.

HOUSE OF COMMONS.

Tuesday, May 26.

MEMORIAL FROM HUDDERSFIELD RESPECTING THE RIOT ACT.] Mr. Wilberforce presented a Memorial from several merchants and manufacturers residing in and near the town of Huddersfield, in the West Riding of Yorkshire; setting forth,

"That, by the Act of the 1st Geo. 1, commonly called the Riot Act, it is declared, "that if any persons unlawfully, riotously, and tumultuously assembled together, to the disturbance of the public peace, should unlawfully, and with force, demolish or pull down, or begin to demolish or pull down, any church or chapel, or any building for religious worship, certified and registered as therein mentioned, or any dwelling-house, barn, stable, or other out-house, the same shall be judged felony, without benefit of clergy;" and the inhabitants of the hundred in which such damage should be done, should be liable to yield damages to the persons damnified thereby; and that, by the Act of the 9th of his present Majesty, reciting the above Act; and that some doubts had arisen, whether the same extended to the pulling down and demolishing of mills, it is enacted, that, if any person should, in like manner, demolish or pull down any wind saw-mill or other wind-mill, or any water-mill or other mill, which had been or should be erected, or any of the works thereto respectively belonging, the same should be adjudged felony without benefit of clergy; and that, if any person should wilfully and maliciously burn or set fire to any such mill, he should be adjudged guilty of felony without benefit of clergy; and that, by the Act of the 41st of his present Majesty, reciting these two Acts; and that no provision had been made by the latter for the indemnification of the persons so damnified, it is enacted, that such persons so damnified should be reimbursed in the manner provided by the first-mentioned Act; and that the wisdom and policy of the first-mentioned Act have been fully proved by the experience of nearly a century; and the memorialists hereby suggest to the consideration of parliament the expediency and necessity that the protection and indemnity given by the first-mentioned Act, with respect to churches, chapels, places of worship, dwelling-houses, barns, stables, and other out-houses, should be extended to warehouses, cotton factories, and all other buildings of every appeal of the publicans: through them he enjoyed most of the advantages which he possessed, and therefore he felt as much interested for them as the hon. gentleman did for the tin mines; but really it was the first time he had ever heard of the galvanic sensations supposed to be communicated by drinking porter out of pewter; and he trusted that able chemist, sir H. Davy, would shortly discover that roast beef acquired a peculiar relish from being served up on pewter plates—as this would still more increase the produce of the Cornish mines. He should be the last man who wished to diminish the consumption of porter; and he hoped the new information as to the best mode of drinking it, would increase the consumption next week; if it were only by way of experiment.

Sir *T. Turton* declared, that the principal object of his Bill was to prevent imposition in country places, where the measures were in general shamefully deficient. The Bill, therefore, provided that regular measures should be deposited in the vestry of every parish; and when the publicans heard of his intention, they applied to him, and stated their grievance. It was a fact, which he had from good authority, that not less than 20,000 boys and girls were employed in the stealing of pots throughout the metropolis, and every old woman who had a frying-pan could easily prevent detection. Were the Bill to pass, every family would have a pewter-pot, and the Pewterers' Company would have have no reason to complain.

Mr. *Sheridan* expressed some surprise at the unusual tone and manner of the hon. gent., who spoke first on this occasion, and who had attempted to laugh the measure out of the House. But with all his respect for the hon. gentleman, he would at any time rather listen to his arguments than his wit. Mr. Fox had supported a similar measure, as much out of the House as he did in it; not as the hon. gentleman seemed to allege, because his constituents were publicans. The consumers must always of course outnumber the venders of beer, and have formed the majority of his electors. Mr. Fox was incapable of any duplicity; and no doubt the hon. gentleman would feel himself affronted, were it said of him, that he ridiculed the Bill in the House, and declared it admirable when he went into company. He had no fear of the consumption of pewter falling off. Having the honour to be receiver-general for Cornwall, the emoluments of which office chiefly arose from the produce of tin, he must be allowed to be perfectly impartial in his support of the measure.

The gallery was then cleared for a division, when there not being 40 members in the House, an adjournment took place.

HOUSE OF LORDS.

Wednesday, May 27.

Gentleman Usher of the Black Rod.] Earl *Grosvenor* moved for an account of the salary and emoluments of the office of Yeoman Usher of the Black Rod for the last ten years; which was ordered. His lordship also referred to the motion before made, for an account of the salary and emoluments of the office of Gentleman Usher of the Black Rod, and proposed to pass a Resolution declaring it inexpedient to fill up any vacancy that might occur in that office, pending an enquiry in parliament relative to its emoluments, which Resolution, he thought, should be communicated to the Prince Regent by Address.

The *Lord Chancellor* objected to the mode of communicating a Resolution of that nature to the Prince Regent, his Royal Highness having nothing to do with the appointment, which was in the gift of an individual,—the Lord Chamberlain.

The Earl of *Lauderdale* also expressed doubts as to the propriety of communicating such a Resolution to the Prince Regent.

The Earl of *Rosslyn* observed, that a Resolution adopted by the House would, of course, be paid proper respect to by the individual holding the office of Lord Chamberlain.

Earl *Bathurst* wished notice to be given for another day, and that the Resolution might not be now pressed.

Earl *Grosvenor* gave notice for to-morrow, and in answer to an observation of lord Walsingham, stated, that it was not intended to affect existing interests. His lordship also moved, that the Lords be summoned for to-morrow.

The House then went into a Committee on the Petitions against the Orders in Council.

HOUSE OF COMMONS.

Wednesday, May 27.

Petition from the Board of Agriculture for a General Inclosure Bill.] A Petition of the president and members of the Board of Agriculture, was presented and read; setting forth,

"That, since the establishment of the Board of Agriculture, the petitioners have felt it their duty, at various times, to press upon the attention of parliament the expediency and necessity of a general law to facilitate the inclosure of waste lands, and for the more effectual cultivation of lands lying in a state of common field; and that a Bill for the above important purposes passed through the House in the year 1797, but did not receive the sanction of the other House of Parliament; and that an idea seemed to be entertained at the time, that, from the number of private and special Acts of Inclosure, a public and general law was unnecessary; but, notwithstanding the improvements which have thereby taken place, many millions of acres in the kingdom still require the advantages of partition and inclosure; and that, with such a resource at our command, it appears to be more expedient and politic to depend on our own cultivation and produce, than on foreign supplies for our subsistence; and that the Board of Agriculture are impressed with a deep conviction, that, owing to the rapidly increasing population of the United Kingdom, the greatest exertions are required to improve the agricultural system of the country, and that no object more imperiously demands the attention of the legislature, or will more amply repay the cares of an enlightened government; and praying, that the House will take the premises into their early consideration, and adopt such measures as the circumstances of the case may require."

Ordered to lie upon the table.

Civil Disabilities of the Roman Catholics.] Mr. *Martin*, of Galway, gave notice, that on the 12th of June, he intended to move that a Committee be appointed to enquire whether the Roman Catholics labour under any, and what Disabilities, and whether it be expedient to repeal the whole or any part of the several laws now in force; and also to enquire whether such repeal should be accompanied with any and what terms, for the further protection of the Established Religion.

HOUSE OF LORDS.

Thursday, May 28.

The House met about two o'clock, and resolved itself into a Committee on the Petitions against the Orders in Council.

Gentleman Usher of the Black Rod.] Earl *Grosvenor*, adverting to the motion of which he had given notice yesterday, urged the propriety of adopting some such Resolution, in order, that in case of a vacancy in the office it might not be filled up, pending the enquiries in parliament respecting its emoluments. The noble earl took the opportunity of observing, that he understood the respectable gentleman who now held the office, had conceived that the motion for an enquiry into its emoluments, involved some reflection upon his conduct. He assured their lordships that he had not the slightest intention of casting the least reflection upon that gentleman, whose conduct, from all that he had heard, had been constantly marked by probity and honour. His lordship observed, that he certainly objected to any part of the emoluments being derived from the sale of subordinate offices, but he was perfectly aware at the same time, that the gentleman who now held the office, in receiving these emoluments, had only derived what he was fairly and legally entitled to. His lordship concluded by moving a Resolution, declaring it inexpedient to fill up any vacancy that might arise in the office, until the enquiries pending in parliament respecting its emoluments were terminated.

The Earl of *Liverpool* thought that no sufficient ground had been laid for the motion, and therefore he should move the previous question. He thought it right, however, to state, that he had consulted with the individual in whose patronage the appointment was, and that there was a full understanding with that individual, that in the event of a vacancy, the office should be subject to every reasonable regulation respecting its emoluments, more particularly as applicable to the sale of subordinate offices.

Earl *Grey* thought, that after what had been stated by the noble earl, it might probably be deemed advisable by his noble friend to withdraw his motion. Certainly, not the slightest reflection was intended upon the person who now held the office of Gentleman Usher of the Black Rod. That gentleman, he was satisfied, was a highly respectable man, whose conduct had been perfectly pure and proper, and than whom no one better deserved the consideration of that House.

It would undoubtedly be highly desirable that upon a new appointment, emoluments should no longer be derived from the sale of subordinate offices, but in receiving these emoluments, sir Francis Molyneux had only received the fair and legitimate perquisites of his office, such as they had been enjoyed by all his predecessors. He thought it the more desirable that his noble friend should withdraw his motion, as the frequent agitation of the subject must tend to hurt the feelings of a person in an infirm state of health, whilst at the same time nothing would be lost by not now pressing the motion.

Earl *Grosvenor* agreed to withdraw his motion.

At six, the House again resolved itself into a Committee accordingly on the Petitions against the Orders in Council.

HOUSE OF COMMONS.

Thursday, May 28.

PETITION OF MR. PRENDERGAST ON BEHALF OF CERTAIN PERSONS IN THE PROVINCE OF OUDE.] Mr. *Brougham* presented a Petition from Michael George Prendergast, for and on behalf of Monohur Doss, and of Seetul Baho, widow and legal representative of Duarcah Doss; setting forth,

"That, in the month of September, 1773, by a treaty between the East India Company and his excellency Sujah al Dowlah, the then vizier of Oude, it was, amongst other things, stipulated and agreed, that the said vizier should annually pay to the Company a subsidy of fifty lacks of rupees, and also maintain a certain military force; and that the finances of the said vizier became shortly afterwards very much deranged, and the subsidies not being regularly paid to the Company, occasioned considerable inconvenience to the Company's government in India; and that the vizier Sujah al Dowlah, having died in 1775, he was succeeded by his son Asoph al Dowlah, who had ceded to the East India Company the valuable district of Benares, and engaged for the payment of an additional subsidy of ten lacks of rupees, making in the whole, independent of the territorial cession, sixty lacks of rupees; and that, notwithstanding these important concessions to the East India Company, their demands and exactions upon the vizierate of Oude increased, and seemed to be regulated by their own necessities alone, and so rigorously were those exactions enforced, that the East India Company appointed their own military officers to the collection of the revenues of the state; and that the most noble the late marquis Cornwallis, having, in the year 1786, arrived in India as governor general, applied himself to the consideration of the affairs of the province of Oude, and, conceiving many of the difficulties under which he found the vizier to have been occasioned by the interference of the English government, thought proper to declare that no such interference should thenceforward take place; but, in order to secure the due and faithful administration of the vizier's finances, he most earnestly recommended that they should be placed under the direction and controul of a minister, to be nominated by the vizier, and approved by the government of Fort William, in which recommendation the vizier having acquiesced, a treaty or agreement was actually entered into between the two governments for the purpose of carrying the same into effect, and for limiting the demands of the Company to the sum of fifty lacks of rupees annually; and that Hyder Bey Khan was accordingly nominated by the vizier as a fit person; and such nomination having been approved and confirmed by lord Cornwallis, the said Hyder Bey Khan was efficiently appointed to such office, under an express stipulation that a certain and fixed portion only of the revenues should pass into the hands of the vizier for his personal and private purposes, and that the remainder should be received into the public treasury, and be there retained, in order to the faithful appropriation thereof to the purposes and public engagements of the state; and, in order more effectually to secure the success of this object, a British resident was allowed to remain at the court of the vizier, whose special duty it was to see its provisions carried into effect; and that the immediate effect of this arrangement, which was assiduously promulgated by the Bengal government, was to raise the credit of the government of Oude, to enable it to effect loans with facility, and to lower the rate of interest which it had theretofore been accustomed to pay on money taken up by the vizier from time to time, either to meet his own state exigencies, or the demands of the East India Company's government upon him; and that, under the operation of this financial system, and the prudent forbearance of the Company, for several years, from the exercise of the baneful interference which had thrown the vizier's affairs into so much disorder, a new spring of credit was created for the vizier, as the public entertained full confidence that the provisions of the treaty or agreement entered into between lord Cornwallis and the vizier would be faithfully and permanently adhered to; and that the surplus revenues of the vizierate, after deducting the personal allowance made to himself, would be applied in satisfaction of the public obligations of the state; and that, although the principle of this arrangement was deemed equally just politic and expedient, still the adoption of it unfortunately was not tried until a period too late to rescue the government from the pecuniary embarrassments under which it laboured, and consequently financial distresses continued to be experienced up to the year 1795, when the strongest apprehensions being entertained as to the vizier's ability to pay the subsidy, the most anxious exertions were made use of by his ministers to obtain loans for that purpose; and individuals, Europeans as well as natives, were, by the most earnest entreaties, and solemn assurances of immediate re-payment, prevailed upon to advance considerable sums of money to the vizier, whereby he was enabled to discharge the arrears due to the Company in respect of the said subsidy, and to provide for other exigencies of state; and that, amongst other individuals who were so prevailed upon, the late Duarcah Doss and Monohur Doss, of the cities of Benares and Calcutta, and who had long conducted banking concerns throughout the vizier's dominions, were, in consequence of the full reliance which they placed in the British faith, induced to advance the said vizier the several sums of money specified and set forth in a schedule of securities, translated copies of which are annexed to the Petition; and that, though such securities may not in strict technical form import to be an immediate charge upon the territories of the said vizier, yet they were so considered by the said Duarcah Doss and Monohur Doss, and by all persons in official situations at Lucknow; and that, shortly after the loans made by the said Duarcah Doss and Monohur Doss, the said vizier, in direct violation of the aforesaid arrangement, and in fraud of his creditors, to whom the revenues were pledged, did, with the full privity and concurrence of the resident, whose duty it was to prevent such a proceeding, intercept the treasure on its way to the public treasury, and misapply the same; and that the government in India, fully sensible of the claims of the said vizier's creditors upon his justice, and of the expediency of his discharging the same with the least possible delay, did repeatedly urge the said vizier so to arrange his finances as to allow of his compliance with the demands upon him, and which he repeatedly engaged to do; and with a view to ascertain the extent of such demands, the then Company's resident at the court of Lucknow, in conjunction with the vizier's ministers, and under the authority of the respective governments, investigated the same, and reported to the government of Fort William, and also to the said vizier, the amount of debts, and, amongst others, the amount of the debt due to the claimants, which the board who had made such investigation repeatedly declared and considered to be fair and just demands; and that, shortly after the death of the late vizier, Asoph al Dowlah, Saadut Alli Khan was placed on the musnud, he having, by an article in the treaty on the faith of which he ascended the musnud, previously engaged to discharge the debts of the said Asoph al Dowlah; and that, a few weeks afterwards, the said government of Fort William was, for various pecuniary considerations, prevailed on to release the said vizier from such article, stipulating for the payment of the debts of the said Asoph al Dowlah: but, although the considerations above adverted to induced the Bengal government to release the vizier from the operation of this article, yet the justice of the claimants' demand was so strongly impressed upon the mind of the governor general, that he was induced to press upon the adoption of the vizier, by the strongest recommendations, the necessity and justice of satifying it; and that, in the year 1801, although the payments of the subsidy to the said Company were regularly made, it was thought advisable by the government of Fort William to obtain a cession of territory from the vizier in lieu of such subsidy; in consequence of which a considerable extent of territory was ceded by the said vizier to the East India Company, the revenue of which greatly exceeded the amount of such subsidy, and most materially lessened the ability of the said vizier to do justice to his other creditors; and that, in adverting to this transaction, it is not the purpose of the petitioner to arraign its justice or to question its policy, considerations of the most imperious necessity may have induced the measure, and to the extent of the consequences produced by such necessity the petitioner would readily submit: but the petitioner hopes it may be permitted to remark, that, whatever might be the state exigence which called for the measure, it does not appear to have excluded that respect which is due to the rights of individuals; and that, to withdraw from the vizier so much of power over his revenue as might enable the government of Fort William to secure to it a more effective application, with a view to the general safety of the possessions of the said vizier and of the Company, may be regarded as a measure of the soundest policy, but, as it allowed of due regard being had to the rights of third persons, creditors of the state, the petitioner submits that the Company ought to have availed itself of the principles upon which parliament, in a case under somewhat similar but not equally strong circumstances, lately proceeded, and with the entire concurrence of the Company; and that the case to which the petitioner alludes is that of the cession of territory in the year 1802, by the nabob of the Carnatic, whose ancestors having contracted very considerable debts by bond or otherwise, commissioners were appointed, by the authority of parliament, to ascertain the nature and extent of such debts, and a provision was made by the same authority, with the consent of the Company, for the payment of what should appear to be fairly due out of the revenues of the said ceded territories; and that the petitioner will not detain the House by expatiating upon the principles of this legislative proceeding, which has added so much to the national character by its justice, and to that of the Company, by its sound and liberal policy, and which, by proving their regard to the claims of individuals, has so connected private rights with the public interest, as to secure to any future public exigence all the advantages which can be derived from individual exertions, to meet and relieve it; and that the petitioner, feeling the justice of the claimants' demand, most respectfully submitted it to the East India Company, in form of a memorial, praying, that the Company would be graciously pleased to take such measures as might be necessary to ascertain its amount, though the petitioner submitted that, after the investigation thereof which had taken place, no doubt could exist in regard thereto, and to make such provision out of the revenue of the ceded territory as would be necessary for its effectual discharge; and that the petitioner is sorry to state that the East India Company have not paid any attention to the claim, which compels the petitioner to solicit that justice from the House which he fully expected to have obtained for the claimants from the Company; and that the East India Company are in possession of ceded territory of considerably greater annual value than the amount of the stipulated subsidies, is a fact susceptible of the clearest and most incontrovertible proof; and that the revenue of such ceded territory was, in point of good faith, if not in point of legal charge, applicable to the payment of debts contracted for the defence of the state, or for the fulfilment of its engagements, will hardly be disputed; and that such was the occasion upon which the aforesaid debts due to the claimants were contracted, cannot be truly denied; upon what principle, therefore, the debt due to the claimants is resisted by the Company the petitioner is wholly at a loss to conceive; the East India Company may indeed, in the capacity of territorial sovereigns, be beyond the reach of judicial authority, but they are clearly subject to legislative animadversion and controul; technical difficulties may be opposed to the claimants' demand, but, if the House be satisfied as to the substantial justice of the claim, the petitioner is confident that objections of form will not be allowed to prevail against it; the petitioner did not call upon the East India Company to recognize the demand if they doubted of its validity, but respectfully requested the Company to take such steps as might satisfy them in that regard; and that the petitioner did not require the Company to discharge such demands however inconvenient it might be to them, but to make provision for its discharge out of the revenues of the ceded territories, which were at least morally subject to it; and that, in adopting this principle, the petitioner pursued that course which, under similar circumstances, the wisdom and justice of parliament had on a recent occasion prescribed to itself and the Company, and which, as between individuals, the law would have enforced; for the petitioner need not state to the House, that the law of England will not allow a debtor to injure the rights of a creditor by an act of bounty to a third person; and that the value of the ceded territories, so far as it exceeded the amount of the subsidies, must be regarded as bounty, cannot be denied; and that the value of the ceded territories does exceed the amount of the subsidies is admitted throughout the correspondence between the government of Fort William and the court of directors; and that the petitioners will not detain the House with further observation on the debts of the claimants, which originated in the wish of serving the British interest in India, by in a degree enabling the then vizier of Oude to fulfil his engagements with the government of Fort William, at a period which confessedly rendered his excellency's fulfilment of such engagements of the most serious importance to that government; and that although the Company in 1795, by their connivance with the vizier, prevented the revenues from reaching the public treasury, where they would have been duly applied, they have on various occasions recognized the claims of the petitioner's constituents, and admitted that they ought to be discharged out of the revenues of Oude; and, as the Company are now in possession of a considerable portion of territory, the revenue of which, subject to their claim for stipulated subsidies, ought, in good faith, to have been long since applied to the repayment of the debts so contracted, the petitioner most respectfully but confidently submits, that the surplus revenue ought no longer to be withheld from such its due appropriation, and that, as the claimants are residing in India, their signature to a Petition to the House could not be obtained without incurring so much delay as would be productive of injury to their interests, and especially in this peculiar crisis of the Company's affairs; and praying that the House will be pleased to take the circumstances of the claimants' case into consideration, and adopt such proceedings for their relief as the justice of it may require, the petitioner being ready to substantiate at the bar the facts above stated, and which, if necessary, he prays he may be permitted to support by his counsel."

The Petition was then brought up, and read, and ordered to lie on the table; after which Mr. Brougham gave notice, that he should, on next Tuesday fortnight, submit a proposition to the House respecting it, the nature of which proposition he thought it right to state, would be, that the Petition should be referred to a Select Committee.

The House then went into the Committee upon the Petitions against the Orders in Council.

HOUSE OF COMMONS.

Saturday, May 30.

PETITION FROM MR. HOULDEN COMPLAINING OF HIS TREATMENT IN LINCOLN CASTLE.] Sir *S. Romilly* said, he held in his hand a Petition, on which he intended to found a motion on some future day. It was the Petition of Thomas Houlden, a debtor, who was confined in the castle of Lincoln, complaining of oppression while in that prison. The Petition was then brought up and read; setting forth,

"That the petitioner, having been confined in Lincoln Castle for debt, experienced such harshness and injustice from the jailor of the said prison as he thinks it due to justice and humanity to submit to the consideration of the House; that the petitioner was not long in the custody of the said jailor, when he felt the oppression of his system, and when he had reason to suspect the existence of a strong prejudice against him in the jailor's mind, in consequence of his complaints of that system, but still more in consequence of the freedom with which his feelings prompted him to observe upon the ill treatment, and particularly the extortion, to which himself and his fellow prisoners were subjected; and that the petitioner, being dissatisfied with the bed furnished to him by the jailor, and for the use of which he was obliged to pay what the jailor demanded, thought proper to have a bed of his own brought into the prison, upon which he was, by the jailor's order, removed from the room in which he had previously slept, and compelled to take his bed into the apartment assigned to paupers; to this apartment, however, it was the common practice of the jailor to remove such debtors as were not satisfied with his beds, or disposed to pay the sum which he thought proper to demand for the use of such beds; and that the room in which the petitioner was so confined, is about twenty feet long, and sixteen broad, and yet, in the course of last summer, it contained seven beds and ten prisoners; when thus crowded, on the night of the 8th of June last, the weather being excessively warm, the petitioner was, with his fellow-prisoners, considerably astonished to see the turnkey proceeding to lock the room door, which had never been before so done; the petitioner, therefore, knowing the turnkey to be generally insolent, unless to those who could afford to purchase his civility, and conceiving also that it was not possible the spirit of oppression or personal prejudice could be carried to such an extreme by any man entrusted with the keeping of an English prison, objected to the locking of the door, unless it was to be done by the jailor's express order; a message, however, being soon afterwards delivered, that the jailor actually ordered the room door to be locked, it was locked accordingly; but yet the petitioner was, two days afterwards, namely, on the 10th of June, taken before doctor Cayley Illingworth, one of the magistrates for the county of Lincoln, and accused by the jailor of opposing his turnkey; to refute this accusation, which the jailor pressed with great eagerness, frequently calling the petitioner rascal and scoundrel, and otherwise grossly abusing him, in the magistrate's presence, the petitioner produced three witnesses; after some examination, doctor Illingworth, expressing his regret that the charge was not proved, dismissed the petitioner, who accordingly went away; but shortly afterwards the petitioner was again taken before the said magistrate, and, after being again grossly abused by the jailor, was committed to one of what are usually called the condemned cells, which cells are about seven feet below the level of the front of the prison; and in this cell the petitioner was kept, in close and solitary confinement, for eleven days and nights, during which he was precluded from communicating with any person whatever but the turnkey, and denied the use of pen ink and paper; and that, at the period alluded to, there were about sixty-five debtors confined to fourteen rooms, while the jailor, with only three in family, was allowed to appropriate thirteen apartments of the prison for his own accommodation; and that the petitioner was released from his solitary confinement a few days after intelligence reached the prison of the conversation which took place in the House with regard to the Petition of Mr. Finnerty, which conversation, the petitioner understood, excited the fear of the jailor; and to that fear the petitioner ascribes his release; and that, while the sheriff, sir John Trollope, seldom interfered with the prison, and declined even to answer a prisoner's letter of complaint, the petitioner and his fellow prisoners found it quite vain to make any appeal to the magistrates who usually visited the prison, and who were never known to interpose, as the petitioner humbly conceives it to be their duty, for the purpose of removing the complaints or redressing the grievances of a prisoner; the petitioner, therefore, being unable to defray the expence of seeking redress at law, has no other refuge, but in the justice and humanity of the House, from which he hopes for such redress as to their wisdom shall seem meet."

Mr. *Brougham* hoped that his hon. and learned friend, who was so well able, would probe this matter to the bottom; for he was certain that much oppression prevailed in our prisons. A case had reached him that very day, which he would state to the House. A person of the name of Godfrey had been confined in the same prison, and being troubled with a severe bowel complaint, he had had recourse to spirits for relief. The use of them was at last denied to him, and on a relapse, medical assistance was brought him. His medical attendant prescribed to him the use of the same cordials, and he got better. One night he had another relapse, and disturbed the prisoners with his cries, who wished to get into his cell to afford him assistance. The turnkey, however, said he could not disturb the governor, although they represented to him that the man was in the agonies of death. At length he ventured to awake the governor, but medical assistance arrived too late, for in a few hours the man died. On the Coroner's Inquest were sworn men under the influence of the governor of the prison. One of the medical men said, that he was called an hour too late; and another, that even then all the medical assistance would have been unavailing.

The Petition was ordered to lie on the table.

CHANGE OF ADMINISTRATION.] Mr. *Martin*, of Galway, after adverting to the present state of the country, and the non-existence of an Administration, gave notice that he should, on Wednesday next, if something was not done to prevent it, and if some person more competent than himself did not assume the task, submit to the House a Resolution, of which the following was the substance:—"That an humble Address be presented to his royal highness the Prince Regent, beseeching him to carry into effect his gracious declaration, that he would take the Resolution of the House of Commons into his 'serious and immediate consideration,' and praying that his Royal Highness would be pleased without delay, to adopt such measures as were called for by the present disorganized state of the government, which was calculated to augment the difficulties and increase the perils that existed, and which would lead to the complete overthrow of the country, if not opposed by an Administration more adequate in strength, and possessing more of the confidence of the people than that which had lately been in existence."

HOUSE OF COMMONS.

Monday, June 1.

Negociations for forming a new Administration.] Mr. *Canning* said, that seeing in his place an honourable friend of his (Mr. Stuart Wortley) who had lately originated a motion respecting the present administration, and seeing also in his place an honourable gentleman (Mr. Martin of Galway) who had expressed his intention of making on Wednesday next a motion of a similar tendency, he thought that it might be convenient to take that opportunity of apprising those hon. gentlemen, that he had on that day received an intimation from a noble friend of his, a member of the other House of Parliament, that upon the morning of that day, his royal highness the Prince Regent had been graciously pleased to give directions to that noble friend, (the marquis Wellesley,) to proceed forthwith in taking such measures as appeared to him best calculated to form a strong and efficient administration.

Mr. *Stuart Wortley* thought it necessary, in consequence of the statements that had appeared in several of the newspapers, to put two questions to a right hon. gentleman opposite. There were at present, two sorts of political writers for the periodical press, those whose sole aim it was to vilify and abuse all public men, and those who were employed in defending them. He thought it but fair to give the right hon. gentleman and his friends an opportunity to meet and publicly repel the insinuations which had been so lavishly thrown out against them in certain publications. With this view, he had committed to paper two questions to put to the right hon. gentleman, to which he trusted an answer would be given. He would ask of him, in the first place, "Whether any person, up to this morning, did make any proposition to the right hon. gentleman, or to any of his right hon. friends, to form part of an administration; and did the right hon. gentleman, or his friends, give a refusal on personal grounds, or on what other grounds?" Secondly, "Whether—

Mr. *Yorke* here rose to order, observing, that there was no question before the House, and he thought the hon. gentleman was irregular. (An universal cry of Move! move! Chair! chair! succeeded.)

Mr. *Yorke*. The hon. member, without any motion before the House, is—(The cry of Chair! chair! was repeated.)

The *Speaker*. I apprehend that the hon. gentleman had announced that he was about to propose some motion, and therefore I conceived he was in possession of the House.

Mr. *Wortley* did hope, that upon an occasion so important as the question respecting the formation of a new government, he should not have been stopped in what he had to say. He would therefore restate his first question, namely, "Whether any person, up to this morning, did make any proposition to the right hon. gentleman, or his friends, to form part of an administration; and did he, or they, give a refusal on personal grounds, or on what grounds?" Secondly, "Whether, in what had passed in those propositions, if any were made, his friends insisted upon any, and what conditions?"

Mr. Wilberforce and Mr. Ponsonby rose at the same moment. The House generally called for Mr. Ponsonby, but some of the friends of Mr. Wilberforce called for that gentleman. The cry of Chair, chair! became then universal. Mr. Fremantle rose, as he stated, to speak to the question. The cry of Chair, chair! was repeated. At length order being restored,

The *Speaker* said, If any hon. member offers himself to order, or to offer a notice, of course he has a right to be heard; but he must place himself within the rules of debate to be entitled to attention, and not keep the House debating, when, in fact, there is no question.

Sir *John Newport* then rose and said, I move you, Sir, that the House do go into a committee on the Southern Whale

Fishery Bill. It is incumbent on the House to hear the answers to the questions proposed by the hon. gentleman, and not to allow the characters of public men to be whispered away in the manner attempted to be done.

Mr. *Yorke* again rose and declared, that he knew nothing of the transaction referred to by the hon. gentleman who had put the questions, but there did seem to arise an inconvenience to the public service in putting the questions, without the possibility of coming by the answer, to any decision: he had risen before to suggest to the chair the propriety of stopping questions which appeared at least to his mind as irregular. For himself, he could have not the least personal objection to these questions.

The *Speaker*. From the statement of the hon. gentleman at his outset, I thought he was in possession of the House.

Mr. *Calcraft*. I speak to order. I trust the House will allow the questions to be put and answered.

Mr. *Wynn* hoped also that the House would allow the answers to be given. In the last instance of the kind which had occurred, the House had so decided: that was during the administration of lord North. Some questions were then put exactly similar to those just now proposed to his right hon. friend. On that occasion a dispute had occurred between lord North and the duke of Portland, and the necessary explanation was allowed to be given.

Mr. *Wortley* observed, that he was in order, he believed, now, for there was a question before the House, raised by the right hon. baronet.

Lord *Castlereagh* said, that though perhaps the present was not a convenient time to put the questions, yet there could be no objection to the principle of them, as tending to explain the conduct and clear the characters of public men.

Mr. *Ponsonby*. I trust it will occur to the House, after the questions put to me by the hon. gentleman, that it will be an unexampled hardship to deny me the opportunity of answering them as correctly, as fully, and at the same time as concisely as possible. I therefore will trouble the hon. gentleman to put the questions again.

Mr. *Wortley* repeated his first question.

Mr. *Ponsonby*. No person whatever, up to this morning, has made any proposal to me, or to any gentleman whom I have the honour to call my friend, either in this House or in the other House of Parliament, to form part of an administration, and therefore no refusal was given, or could be given, either on public or personal grounds.

Mr. *Wortley* then repeated his second question.

Mr. *Ponsonby*. To that question there is no answer required; for, in fact, the answer which I have given to the first question is the answer to the second. Where no proposals have been made and received, no conditions of any kind could be given.

Mr. *Bastard* asked whether the publications and statements on this subject, in the newspapers, were authentic.

The conversation here dropped.

Lord *Castlereagh* wished to ask an hon. gentleman, before the House resolved itself into a committee, whether it was now his intention to bring forward, on Wednesday, the motion of which he had given notice?

Mr. *Martin* replied, that he should be guided by the measures that would be adopted in the interim for the formation of a ministry.

Lincoln Gaol.] Mr. *Ellison*, adverting to the Petition presented, and the statements made by sir S. Romilly and Mr. Brougham, on Saturday, respecting the abuses in Lincoln gaol, which statements he declared were such as to affect not only the character, but the peace of the county, intimated his intention of moving, on Friday, for a committee to enquire into the state of that gaol.

Mr. *Brougham*, in the absence of his hon. and learned friend, (sir S. Romilly), trusted, that as his hon. and learned friend had given notice of a motion on the subject for Wednesday se'nnight, when justice would be done to all parties, that the hon. gentleman would not persist in his notice. He was prepared by evidence to corroborate the statement which he had made.

Mr. *Ellison* hoped the motion would be enlarged, so as to embrace the conduct of the magistracy of the county, as their conduct had been arraigned.

Mr. *Brougham* expressed his concern that any unfavourable impression should have been made on that quarter from any thing he had said. His wish was that the motion should be made as general as possible.

Mr. *Ellison*, upon this understanding, did not press his motion.

Irish Loan.] Mr. *W. Pole* proposed that the House should go into a Committee of Ways and Means, for the purpose of moving a Resolution, sanctioning the contract for a Loan for the service of Ireland.

Mr. *Wynn* opposed it in the present state of the administration. He thought that the committee should be postponed to some future day, when a responsible minister might be present to move it in the committee

Mr. *W. Pole* said, that the Loan had been contracted for before the death of Mr. Perceval, and that any delay might be productive of great injustice to the individual contractors, as well as injurious to the public service. He was, however, under the correction of the House, and would withdraw the motion, if they thought right; at the same time, he had discharged his duty in bringing it forward, and should be absolved from all blame in case of inconvenience arising.

Lord *Castlereagh* thought that great inconvenience might arise from delay, while none could result from the House now proceeding to vote, as the Irish Chancellor of the Exchequer was before them, and in a responsible situation.

Sir *J. Newport* said, that the responsibility rested properly with the First Lord of the Treasury, and that at present there was no minister: he observed, also, that the loan was different from the loan bargained for in the life-time of Mr. Perceval.

Mr. *Tierney* said, the House ought not to recognise the acts of a *pro tempore* government: however, if the transaction was entirely the same as existed before the death of Mr. Perceval, he would not oppose the present motion.

Mr. *W. Pole* said, that Mr. Perceval wished to raise two millions in Ireland; that the gentlemen who came forward could only contract for one million and an half; that Mr. Perceval agreed to this arrangement, and the same gentlemen were the contractors.

Mr. *Rose* spoke to the same effect.

Mr. *Wynn* insisted that the House of Commons should be jealous of its right to interpose in money matters, especially when there was no responsible minister.

Mr. *Brougham* applauded the constitutional doctrine of his hon. friend, and reprobated the conduct of those advisers of the crown, who had led the House into the present scrape.

Mr. *W. Pole* disclaimed all idea of drawing the House into a scrape.

Mr. *Brougham* said, that the hon. gentleman had misunderstood him. He had not accused the right hon. gentleman, but other persons of leading the House into a scrape; in which they were obliged either to injure the character of the government by delaying the contract, or to pledge themselves to a money-vote without a responsible minister.

The House then went into the Committee of Ways and Means: when Mr. W. Pole moved a Resolution, that the sum of one million and an half be raised by annuity, for the service of Ireland.

The House then resolved itself into a Committee on the Petitions against the Orders in Council.

HOUSE OF LORDS.

Tuesday, June 2.

Dissenters.] Earl *Stanhope* said, their lordships must know, that very great anxiety now prevailed in the minds of a numerous body of his Majesty's subjects, who, in fact, might be said to constitute the main body of them—he alluded to the non-conformists. They must be aware, that an individual, whose fate had been most undeserved, had held out expectations to those persons that an alteration would be made in the law, as it related to them. Last session he (earl Stanhope) gave notice of a motion on the subject, which he had since repeated: but as it was not fit that it should be discussed at the present moment, he meant this week, and that their lordships should have more time to consider the subject, that they might see the temperate, well-advised, and excellent means proposed to accomplish the object he had in view, he would now introduce a Bill, and simply move, that it be read a first time; after which it might lie over, to give their lordships an opportunity of examining it. This Bill was intended to protect the Dissenters against certain penal disabilities: and he would then, to prevent misconstruction, inform their lordships what the Bill did not do; when it was printed, they would see what it did do. It did not touch the question of power, either with respect to the Test Acts, the Corporation Acts, or what was termed Catholic Emancipation. But it went to repeal laws, which no man could think of without horror. His lordship then moved the first reading of the Bill, which was entitled, " An Act for the relief of certain members of the Church of England and others, from the operation of certain unjust penalties and disabilities."

The Earl of *Liverpool* thought it was a most unusual thing to insert the word 'unjust,' in the title of a Bill on its first reading. That to which the term referred, on discussion, might be considered as not warranting the appellation. If, therefore, the noble earl wished the first reading to pass without opposition, he trusted the word would be omitted.

Earl *Stanhope* said, he did not believe it possible, that a person of the noble earl's notorious good sense, could imagine, that it was his wish to repeal any law that was just and proper. He would, however, wave the expression at present, at the same time giving a distinct notice, that he would, in the Committee, move for its insertion.

The second reading of the Bill was then fixed for the 30th instant.

INSOLVENT DEBTORS' BILL.] Lord Redesdale moved the order of the day, for the House to resolve itself into a Committee on the above Bill.

The Earl of *Moira*, adverting to certain amendments to the Bill, which, on a prior day, he informed their lordships he had drawn up, observed, he should be very sorry if he had been obliged to bring them forward in the crude state in which they then were. Since he last addressed their lordships he had had much private conversation with persons perfectly conversant with the subject, and he was convinced, that if he had at that time submitted those alterations, he should only have thrown an additional degree of difficulty in the way of the measure. He felt, in the strongest manner, the obligations which the country owed to the noble and learned lord (Redesdale) for having produced this Bill; and he was sure he spoke the sentiment of the whole country, when he said, that, in forming it, he had exercised his mental abilities in a manner which deserved the warmest thanks of his fellow countrymen.—He had met several of his noble friends, with whom he had discoursed on the subject; and he found that the provisions of the Bill embraced so many points, that it would be impracticable to discuss them, in that House, during the present session. From the frequent declaration of his sentiments, against temporary Insolvent Acts, he was precluded, in the interim, from introducing a measure of that description; but that course was open to any other noble lord who might feel the necessity of originating a Bill, for the relief of those at present imprisoned for debt; not through any fault of their own, but from the general pressure of the country, which every person acknowledged. He suggested this mode of proceeding, to prevent any disappointment which might be experienced by persons expecting relief under the Bill of the noble and learned lord, which, he had no doubt, would require so much consideration, as to render its completion in the present session impossible. His lordship then moved, That the order of the day be discharged, observing, that the subject should be taken up on as early a day as possible.

Lord *Ellenborough* agreed with the noble earl in the praise which he had so justly bestowed on the public principle and ability which the noble and learned lord had evinced in devising means for the relief of the subject, by a permanent measure, in a matter where so much mischief had been done by temporary ones. He was not prepared to say, how far the *cessio bonorum* might be acted on in this country; but he conceived it would be very dangerous to introduce it without the most mature deliberation. Some of the provisions of the Bill were very good, but there were many which could not be adopted, without the fullest consideration by the legislature. He, therefore, thought it ought to rest until such alterations were suggested by the noble and learned lord himself, or others, as would fairly meet the objections which were urged against it. The noble and learned lord, on a former evening, had expressed his wish, that they should bring the measure to an end, on account of the crowded state of the gaols. At present he would not enter into any argument on the situation of the prisons; but he was ready to agree to a temporary Bill in preference to a permanent measure, undigested and unconcocted, as the present would be, if now acted upon. Something, he conceived, might be done, to obtain that which they all had in view—relief for the debtor, and security for the creditor.

The *Lord Chancellor* concurred in the propriety of the motion. The consideration of a subject of so much magnitude, certainly rendered a greater extension of time necessary. It was his most anxious wish to give every assistance to any measure of this description, whether introduced by his noble and learned friend, or by any other noble lord. But he could not so far subdue his judgment, as to hurry forward the measure which his noble friend had in view, containing, as it did, principles novel to this country; especially as a temporary Bill, to which he had no objection, would render unnecessary any precipitancy of proceeding.

Lord *Redesdale* defended the principle of the Bill, and pointed out the difference between it, and that which he had introduced three years ago. In the latter a jurisdiction was given to the supreme courts, and also to the inferior, to decide on the different cases of *cessio bonorum.* This mode had been objected to, and the objection struck him so forcibly that he had endeavoured to remedy it. Indeed, he was of opinion, that the contemplated law could not be well administered by the supreme courts, on account of their increase of business; and he considered that it was too important to be administered by the inferior: but it appeared that the noble and learned lords differed from him also as to this mode of administering the law. Probably, if he were acquainted with it, he might be brought to adopt the mode laid down by either of them; but, at all events, he should be ready to meet them in any way in which the subject might be discussed. It was mercy, both to the debtor and the creditor, that their lordships should come to some final and permanent resolution on the business; for at present debtors were not disposed to settle with their creditors; creditors were endeavouring to compel those indebted to them to come to some agreement; and all were waiting for a law, to enable them to make up their minds on the matter. Therefore, in his opinion, it would be better that some determination should be come to in the present session. He did not speak from his own knowledge, but, from the communications he had with others, he was led to believe that a feeling existed in many of our gaols of a truly mischievous description. With respect to any intended alteration, he would observe thus much, that if the law were not administered by one court, which could thus form a body of precedents on the same uniform principle which was adopted in other countries; if the practice were sub-divided, and the quarter sessions were permitted to decide, then they could not expect to have one uniform system. In one part of the country one principle would be acted on, and a different principle in another. It was therefore absolutely necessary that one court, and that a court of some eminence, should administer this law.

Lord *Holland* said, his noble friend had moved to discharge the present order, for the purpose of giving more time for the consideration of the Bill. His only reason or rather his apology, for not opposing the motion was, the firm reliance he had on the knowledge and information his noble friend possessed on the subject. This feeling alone induced him to acquiesce in the proposition; for it was a heartbreaking recollection, that for twenty years, a measure of this description had been before them: it was allowed, on all hands, that it was imperatively called for; it was allowed on all hands, that the existing system was most mischievous, and that the temporary system had all the evils of the latter, and of that which was sought to be introduced —and yet he had seen the measure proposed, sometimes by his noble friend, and supported with his characteristic eloquence —and sometimes by the noble and learned lord (Redesdale), and upheld by all his great legal knowledge, he had witnessed the repeated failure of those measures— and, session after session, they seemed, as it were, to stultify themselves, and, by their conduct, to declare, that nothing effectual could be devised on the subject. His conduct, throughout the whole of the business, had been actuated by this wish, that the principle of the *cessio bonorum* should be introduced into this country. But he had little hopes that any measure could be brought forward, which might not be liable to the same objections, which the House, from time to time, had been in the habit of hearing.

The Earl of *Lauderdale* said, that after the experience the House had had, of a permanent measure lingering until the end of the session, and then having been thrown out, he should feel it his duty, that the debtor might have some remedy, if, on Friday next, the present Bill did not seem likely to be passed, to introduce a temporary measure for the relief of debtors in England and Ireland.

The *Lord Chancellor* said, he would forward such a measure as far as lay in his power. But there was a great difference between supporting a Bill of that kind, and one, by the provisions of which, an individual, after three months confinement, would have it in his power to free himself from all his debts.

Lord *Ellenborough* repelled the charge, which seemed to be contained in the speech of the noble lord (Holland) that either indolence or incapacity could justly be charged against the law officers, who had the honour to sit in that House, because no permanent measure had been perfected. The principle of *cessio bonorum* was new to our law, and he should be very glad, as he did not expect, during the remainder of the session, to have many opportunities of addressing the House, if the noble lord and himself could then argue the manner in which it should be introduced. What had been stated by the noble lord on the woolsack, he confessed filled him with great apprehension. The short period of time in which a person could get rid of all his debts, was a matter of serious consideration. If a man could wash himself clear from all debts and incumbrances so very speedily, who, he would be glad to know, would give credit? He trembled at the destruction of all credit, if, after so very short a confinement, the debtor might be discharged. Some persons appeared only to feel for the debtor. For his part, which probably arose from the habits of his life, he felt both for the debtor and the creditor. And, if they took away from the latter the only means he had of compelling the payment of what was due to him, that man, who, tottering on the verge of a gaol, could not, with effect, place his debtor there, must enter the walls of a prison himself. From a fair regard to both, as the object of legislative provision, he could not rashly or unadvisedly decide on a measure which was to become a standard law of the country. He would assist the noble and learned lord in preparing any provisions which they might mutually adopt, and to which the House might incline. In that case, if the Bill could not be completed in the present session, a temporary measure might be resorted to. To that system he was not friendly; but he would prefer a temporary inconvenience to a general and lasting evil.

Lord *Holland* assured the noble and learned lord, that he had no idea of throwing an imputation on any person, and least of all on him. But he would state distinctly what he had before said, that, for twenty years past, a measure, involving the principle of this Bill, had been submitted to the House, and had been regularly thrown out, not on account of the principle, but with reference to the difficulty of the details. He meant not to allege any thing against individuals; the blame rested with the legislature, who having an evil pointed out to them, had not devised a remedy. Those who supported a measure of this kind, were not actuated merely by the hardship which the debtor suffered; he contended they were the true friends of the creditor as well as of the debtor. Those occasional remedies were replete with evil; and it was a serious imputation on the legislature at this time of day, to be obliged to postpone a Bill of this sort, because they had not time to go through it; or, in other words, because they had not an opportunity of carrying their own wishes into execution.

The *Lord Chancellor* said, it was most important to consider how the creditor was to be dealt with; whether he was to have his remedy by putting the debtor in gaol, or what was to be done? It was then within two or three days of ten years since he had filled the office of Chancellor: during that time he had administered the affairs of bankrupts, which was similar to the examining the estates and effects of insolvents; and he hoped their lordships would allow him to say, what he solemnly assured them was true, that he had frequently, in the course of those ten years, been astonished at the lenity and forbearance with which creditors had treated those who were indebted to them, whose conduct by no means deserved such favour. During that period, he did not recollect more than two or three instances, in which application was made to him, under the laws of England, to prevent him from giving full freedom to the debtors, whose cases were brought before him. He felt for every debtor; but he could not refuse to the generous character of this country, his testimony, that, during ten years, only two or three instances occurred, in which he was called on to stay the signing of certificates; when, if he had been called on to state his own opinion, they might have been very numerous. He had ever seen the most perfect wish, on the part of creditors, to deal fairly with their debtors, if the latter would act uprightly by them. It probably would be found the best system to permit the statute of bankruptcy to be issued, not merely against those who were traders, but against insolvent debtors generally. If this were the case, he believed the frequent necessity for legislative relief for insolvent debtors would be greatly diminished.

Earl *Stanhope* said, that though the noble and learned lord was out of order in speaking twice on the same subject, he had been unwilling to stop him in his magnificent career: but he would overturn every thing he had said, so that not a vestige of it should remain. The learned lord had stated, that during the time in which he had been chancellor, there had been only three or four applications to arrest the certificate; but he would tell the noble and learned lord a fact, which he had never heard of before, and which would explain the circumstance to which the noble and learned lord had adverted. He had employed a man who had become bankrupt, and having a good opinion of him, wished to employ him again; but not wishing to do so till he had got his certificate, he asked him when he expected it. He said he was on good terms with his creditors, and expected it soon. He also mentioned that a stranger had come to him, and asked whether he was on good terms with his creditors; and when he demanded the reason of this question, he was informed, that there were companies about town who could easily manage the business. He had only to give them several antedated bills, which they would prove, and get him his certificate in spite of his real creditors. This was not the only application, for he had half a dozen more of the same nature; and he said that a friend of his, a bankrupt, had also many similar applications. The flying of these paper kites, therefore, explained the reason why so little opposition had been made to certificates. But he had a plan to catch the whole of these paper kites in one trap, which he wished the House should agree to adopt.

The *Lord Chancellor* admitted that many frauds were committed, but he denied that this destroyed the weight of the general observation. He had it in contemplation to propose a temperate measure for checking such frauds; and whether that, or his, the noble and learned lord's great trap would be most efficient, time must shew.

Earl *Stanhope* said, that notwithstanding the assertion of his brother noble and learned lord on the woolsack, the fact which he had stated, did go a great way to destroy the general observation.

The further consideration of the Bill was then adjourned *sine die.* Their lordships then resolved themselves into a committee on the Petitions against the Orders in Council.

HOUSE OF COMMONS.

Tuesday, June 2.

Droits of Admiralty.] Mr. *Brougham*, pursuant to his notice, rose to move for an Account of all sums taken from the Fund of Droits, and afterwards replaced, down to the present day. He observed, that he had at a former period, during the life time of the late Chancellor of the Exchequer, moved for such a paper. To its production that right hon. gentleman had at first objected, on the belief that a return of *Nil* must be made to it, but from better information from a right hon. gentleman then near him, he had altered his opinion, and, with all that urbanity which formed part of his character, had acceded to the motion. The return then ordered had never been made, and he thought it now peculiarly necessary. These Droits were a fund out of the controul of parliament, and might be made either permanently or temporarily subservient to the purposes of the crown, at times, to the amount of five or six millions, and at this moment to the amount of half a million. The accounts were the more desirable now, when there was no executive power existing in the country, but one which had been described to be merely *pro forma* and *pro tempore,* and a fund of this description might enable them to go on even for three or four days (but if only for one day it was enough), without being obliged to apply to the only constitutional mode of procuring money by a vote of parliament. He begged to be understood, that he did not accuse the government of doing this, or of borrowing money for the time from this source. He had no doubt of their innocency; but the bare possibility of such a thing was, to say the least of it, no diminution of his arguments on the former occasion. As for their way of procuring money, if the Exchequer was so poor as had been said, he was not doctor enough in the means of raising it, to know. He knew not if they got it, as had been insinuated, from the paper-mill at Threadneedle-street: he hoped they had not, and that this vague assertion was without foundation. He concluded by expressing his wish to have the former order renewed, and that the accounts should be made up to this day.

Mr. *Wharton* said, that when the learned gentleman had alluded to this subject yesterday, the impression on his mind was, that the accounts were already on the table, pursuant to the order. He had since ascertained that his impression was well founded, for the papers had been before the House ever since the 21st of May last.

Mr. *Rose* said, there had been only one or two instances of advances out of this fund for the use of the royal family, but none of it sapplication to the public service.

The Account was ordered to be made up to this day.

PETITION OF PETER BATTEY, RESPECTING MR. MANSELL PHILIPPS—A MEMBER.] Lord Cochrane presented a Petition from Peter Battey, of the borough of Stafford, shoemaker; setting forth,

"That the petitioner is an elector of members to serve in parliament for the said borough, and thereby became acquainted with Richard Mansell Philipps, now and in the last parliament one of the members for the said borough; and that the petitioner, having, during the election for the last parliament, expressed a wish to obtain the discharge of one Thomas Beakton from the royal marines, the said Richard Mansell Philipps afterwards informed the petitioner, by letter, that if the petitioner would transmit to him the sum of fifty guineas, the price of two substitutes, he would procure from the Admiralty the release of the said Thomas Beakton; and that thereupon, some time in March, 1807, the petitioner transmitted to the said Richard Mansell Philipps the sum of fifty-three pounds in manner following, namely, one 2*l.* bank of England note, one 1*l.* bank of England note, and a fifty pounds Manchester bank bill, at two months, dated March 14th, 1807, and which was duly paid when it became due; and that the said Thomas Beakton not being discharged, the petitioner again applied to the said Richard Mansell Philipps, who informed the petitioner that he had paid the said sum of fifty guineas at the Admiralty into the hands of Benjamin Tucker, esq. then secretary to the Admiralty, at the desire and in the presence of Thomas Francis Fremantle, esq. one of the lords commissioners of the Admiralty, which assertion of the said Richard Mansell Philipps the petitioner soon found out to be false, and the said Thomas Beakton was not discharged until the 25th of June, 1807, when another sum of fifty guineas was paid by an acquaintance of the petitioner at the Royal Marine Office for his discharge; and the petitioner has discovered that the said Richard Mansell Philipps applied the above-mentioned fifty pounds bill to his own use, by endorsing it, before it became due, to one William Eades, who, the petitioner is informed, is a grocer at Wimbledon, to whom the said Richard Mansell Philipps was at that time greatly indebted; and that the petitioner, finding himself cheated and defrauded of the said sum of fifty-three pounds by the said Richard Mansell Philipps, did, at the Epiphany general quarter sessions of the peace for the county of Surrey, in the year 1809, prefer a bill of indictment against him for obtaining money of the petitioner under false pretences, which indictment the grand jury found a true bill: but although, by the practice of the said court, the said Richard Mansell Philipps ought to have appeared and pleaded to such indictment, and the trial ought to have been had, and, if a conviction had taken place, sentence ought to have been passed on the said Richard Mansell Philipps long before this time, yet the said Richard Mansell Philipps hath not yet appeared thereunto, though he has repeatedly had notice thereof, and the justices of the said court of quarter sessions, and several individual justices, and the right hon. lord Ellenborough, who have been repeatedly applied to to grant warrants to compel an appearance, have refused to grant the same, lest the granting thereof should be construed into a breach of the privileges of the House; but the petitioner submits, that it cannot be a breach of the privileges of the House to issue legal process to compel an appearance to an indictment, a conviction on which he is informed would be a sufficient ground for his expulsion from the House; and that the petitioner is also informed, that on the 29th of November, 1763 a Resolution was entered on the Journals of the House, that privilege of parliament does not extend to the case of writing or publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws in the speedy and effectual prosecution of so heinous and dangerous an offence; and the petitioner conceives that a case of deliberate fraud is within the meaning and spirit of that resolution, and that at present the petitioner is without redress, but by the interference of the House; and the petitioner prays the House to compel the said Richard Mansell Philipps to appear, plead to, and try the said indictment in the usual course, or that the House will permit the petitioner to prove the facts at their bar, in which case the petitioner prays he may be heard by his counsel, or that the House will grant him such other redress as may most effectually prevent the ordinary course of the laws being any longer obstructed in the effectual prosecution of so heinous and dangerous an offence."

Mr. *Kenrick* stated, that the magistrates of the county had afforded every attention to the complaint of the petitioner, and had given him all the relief which they could, consistently with the prescribed forms of law.

The Petition was ordered to lie on the table.

NEGOCIATION FOR FORMING A NEW ADMINISTRATION.] Mr. *Martin*, of Galway, said, that previous to the withdrawing of the motion on the subject of an efficient administration, of which he had given notice for to-morrow, he wished to put two questions, the answers to which would enable him to judge whether he ought to withdraw that motion altogether, or to vary it in any sort. There was, he knew, seldom a person of any consequence in such an assembly as that, who had not what the French called a Double to represent him. To such person, if there was any such in the House, he wished now to put similar questions to those which had been put yesterday by an hon. gentleman to a right hon. gentleman (Mr. Ponsonby), whom he did not now see in his place, namely, "Whether up to that moment a proposition had been made to him or his friends by any person whatever, to form part of an administration, to which they had given a refusal on public or personal grounds?" &c. He assured the House that no man was privy to his intention of making the present motion, and therefore that no man to whom the present questions might be found to be addressed could justly be accused of feigning astonishment, as he understood, if report spoke truly, was the case last night, in requiring the reading and re-reading to him of questions which had been framed in his own presence. He hoped he was not irregular or disorderly in alluding to the name of a noble marquis (Wellesley), and asking if any such refusal had been made to a proposition coming from him? The line of conduct to be observed by him to-morrow, should depend upon the answer he received from the right hon. baronet opposite.

Sir *John Newport* declared, that he had no means of information on the subject alluded to by the hon. gentleman, and that the questions of that hon. gentleman might as well have been directed to any other member of the House as to himself.

Mr. *Stuart Wortley* begged to say a few words, as to an insinuation which seemed to have fallen from the hon. gentleman who spoke last but one, that a concert had existed between him and the right hon. gentleman (Mr. Ponsonby), as to the questions put by him last night, to that right hon. gentleman. It was, no doubt, true, that he did lay before that right hon. gentleman copies of the questions he meant to put to him. (Hear, hear!) He told him, "these are questions which I intend to put to you, and will you answer them?"—He did so to the right hon. gentleman as he would have done to any other member of parliament, and he did so as a man connected with no party. He had no doubt, he knew whence the remark of the hon. member proceeded. It had been said in a print of this morning, that he (Mr. Wortley) had gone to the right hon. gentleman (Mr. Ponsonby) and attended a meeting of his party. This he denied. He called upon the right hon. gentleman when five or six gentlemen were with him, and, being requested to retire into another room, declined doing so, but publicly stated the cause of his visit. If any of the gentlemen alluded to were now present, he begged of them to say whether the fact was not so. He declared that he was allied to no party whatever: in the steps he had taken in this important business, he had taken advice from no man.

Mr. *Martin* said he had no wish to attribute any thing improper to the hon. gentleman. All he meant was to express his astonishment, considering how things really stood, at the extraordinary surprize at the questions put to him, affected by the right hon. gentleman (Mr. Ponsonby.)

Lord *Milton* said, after all that had passed on this subject, the House was still left in the dark, as to the intention of the hon. member. It would be better if he would tell the House, whether it was his intention to bring on his motion to-morrow or not; and if it was not convenient for the hon. gentleman himself, it no doubt would be convenient for other hon. gentlemen to have this information.

Mr. *W. Smith* thought as to the cry raised against his right hon. friend (Mr.

Ponsonby), as if he had affected surprize at the questions put to him last night, there was really nothing in it. His right hon. friend had not affected surprize, being, as he was, aware of the questions that were to be put to him; but had only desired that the questions might be repeated, in order that both they and the answers to be given to them might be the more clearly understood by the House. As to the fact, of the nature of the questions to be put to his right hon. friend having been previously communicated to him, that was a mode of proceeding which all parliamentary practice sanctioned; and it must seem to be a most unauthorized freedom to use with any member, to put a question to him, without using such a formality.

Mr. *Martin* having moved that the motion, of which he had given notice, for Wednesday, be read, stated, that he had no hesitation in saying, that his object in the motion, was to facilitate as much as in him lay the commission which he understood had since been given to lord Wellesley, to form an administration.

Lord *Milton* repeated the question he had already put to the hon. gentleman, namely, whether in the present state of the country he would think it proper to make the motion of which he had given notice for to-morrow? To this question, he submitted, the hon. gentleman had given no answer, but had only stated, that any motion he should make would go to facilitate any arrangement of the noble marquis, to whom had been confided the task of forming an administration. This was no satisfaction to the House, as to the question whether the hon. gentleman would or would not bring forward his motion to-morrow.

Mr. *Martin* had no hesitation in saying, that he thought it extremely improbable he should make the motion of which he had given notice, to-morrow; but at this time he thought it not inconvenient that something should remain on the orders to enable any gentleman who chose it to agitate a question of so much importance to the country. His wish was to preserve to himself and to others, the possibility of making such a motion, not to pledge himself that it should actually be made. Should a concert be formed amongst a number of men to force the sovereign to receive into his councils obnoxious ministers, he should be one of those who would resist such a measure. He should not be one of those who would say, that the sovereign had not a right of challenge against any noxious individual or individuals of the kind he had alluded to. As the right hon. gentleman (Mr. Ponsonby) had shewn that he had no objection to interrogatories, he wished to reserve to himself the power of putting some to him to-morrow if he should see occasion. He again repeated, it was highly improbable he should bring forward his motion to-morrow, but still it was not impossible.

The House then resolved itself into a committee on the Petitions against the Orders in Council.

HOUSE OF LORDS.

Wednesday, June 3.

Negociations for forming a new Administration.] The House met about half past two, and resolved itself into a committee on the Petitions against the Orders in Council. At five, the earl of *Liverpool* moved, that the House do adjourn till Friday next.

The Duke of *Norfolk*.—Previous to the adjournment of the House I wish, my lords, to ask a question of the noble earl opposite. If however the noble earl, who appears to be acting in the important station which we all know he held, is still minister, and likely to continue so, I have no question to ask of him. If also he is no longer a minister, I have no question to ask of him; but if he is only minister for two or three days, until his successor is appointed, then I wish to have some information as to the present situation of public affairs?

The Earl of *Liverpool*.—My lords, in answer to the question put by the noble duke, I have to state to this House, that I am in the same situation in which I was last Friday se'nnight, and that in consequence of a well known event that then took place, I am only continuing in that situation until his royal highness the Prince Regent shall be graciously pleased to signify his pleasure as to any future arrangement.

Marquis *Wellesley*.—Although, my lords, I have not been personally called upon, I still feel it my duty to state to this House the share which I have had in the transactions which have recently taken place, with a view to the forming of some arrangement to meet the alarming difficulties of the present crisis. My lords, his royal highness the Prince Regent, acting in the name and on the behalf of his Majesty, was graciously pleased to lay his commands upon me to state to his Royal Highness my opinion with a view to the formation of an administration. In obedience to those commands, I stated to his Royal Highness my opinion with all that deference which is due to his exalted rank, but at the same time with all that freedom which, I humbly contend, it is a duty that a privy counsellor owes to his sovereign and the country to use. I have this day tendered to his Royal Highness my resignation of the authority which his Royal Highness was pleased to vest in me, with a view to the arrangement of an administration, which resignation his Royal Highness has been graciously pleased to accept. My lords, I deeply lament, that the most dreadful personal animosities, that the most terrible difficulties, arising out of questions the most complicated and important, should have interposed obstacles to prevent that arrangement which it was so highly desirable, which it was so essential to the interests and the welfare of the country to make. That such personal animosities, and such difficulties, should have prevented the so much wished for, the so highly desired and desirable arrangement, at so arduous and perilous a crisis, is indeed most deeply to be deplored. In consequence of these results, I humbly solicited of his Royal Highness permission, and his Royal Highness was graciously pleased to give me full authority to state to this House, if your lordships shall desire it, all the circumstances attending the progress of this transaction, in which I have had any share. But, my lords, if I may be permitted to advise your lordships, that advice is not to call for such a disclosure, convinced as I am most fully, that in the present situation of the country such a disclosure would be highly mischievous to the public interests. If, however, your lordships command me to make the disclosure, I shall feel it my duty, and am ready to make it, but allow me again to advise your lordships not to call for it, under a full conviction, that at the present crisis, it would be highly mischievous.

Earl *Stanhope.*—My lords, the noble marquis having very handsomely stated his readiness to make the disclosure to which he alludes, I think it becomes the duty of your lordships, to call for that disclosure for the satisfaction of the country, particularly after the declaration of the noble earl opposite, that he is not a minister, but a daisy, a flower, that appears in bloom in the morning, that dies at night, and is no more thought of. I trust therefore, your lordships will feel it to be your duty to call for the disclosure to which the noble marquis adverts.

The Earl of *Limerick.*—My lords, I rise as an individual, unconnected with any party, to deprecate the disclosure called for by the noble earl (Stanhope), and I trust your lordships will adopt the advice given by the noble marquis, not to call for a disclosure which must, in the present circumstances of the country, be highly mischievous, and highly prejudicial to the public interests.

Lord *Grenville.*—My lords, in agreeing in opinion as to the impropriety at the present moment, of calling for the disclosure alluded to by the noble marquis, I may be permitted to state, that in the little share which my noble friend near me, and myself, have had in the transaction referred to, we have nothing to disguise, nothing to conceal, nothing that we shall not be anxious should be publicly stated, whenever the proper moment for so doing arrives. After stating this, little else remains for me to say, nor should I have risen upon the present occasion, had it not been for the allusion made by the noble marquis to dreadful personal animosities, which had interposed obstacles in the way of a wished-for arrangement. My lords, for my noble friend and myself, I can most distinctly say, that we were actuated by no feeling of animosity, by no personal feeling whatever, that we were actuated by nothing but a feeling for the public interests, a desire for the public welfare, and an anxiety to set aside every other consideration, save those which arose out of public principles and public interests, and I do most distinctly disclaim any of those feelings of personal animosity to which the noble marquis has alluded.

The Earl of *Liverpool.*—My lords, I feel it necessary to say a few words in consequence of what has fallen from the noble baron, and lest my silence should be construed into an admission of being actuated by those feelings of personal animosity, which have been alluded to by the noble marquis. My lords, for myself and those who have acted with me, I do most distinctly disclaim any feelings of personal animosity. In my conduct in this transaction, I have been only actuated by considerations of public principles and public interests, and by no feeling whatever of personal animosity. Having said this, it only remains for me to deprecate the calling for the disclosure alluded to by the noble marquis, and which I am satisfied would at the present moment be highly detrimental to the public interests, nor would such a disclosure at the present moment be either proper or decent.

The Earl of *Moira.*—Whilst I fully agree, my lords, in the opinion which has been expressed, that it would be highly mischievous and improper to make the disclosure alluded to by the noble marquis, I cannot but most deeply lament the unfortunate turn which this negociation has taken. It has been my office, my lords, in the course of this negociation, to be the humble instrument of conciliation, and it has been my earnest endeavour to smooth those difficulties which unhappily interposed obstacles in the way of an arrangement so highly desirable in the present crisis of our fate, but I deeply lament to state, that differences and estrangements have rendered those endeavours unavailing. My lords, I believe, nay, I have no doubt, that persons who interpose those obstacles, have convinced themselves that they possess a conciliatory disposition, and that they have induced their own minds to believe, that what they urge is a fundamental principle of the constitution. I cannot, however, but lament that points of form should stand in the way of a conciliation, and an arrangement which is so essential to the interests and the welfare of the country, but I am satisfied that it is all misapprehension, that nothing but misapprehension stands in the way, and I trust that before the House meets again, some arrangement will be made satisfactory to the country.

Earl *Grey.*—My lords, I cannot but think that the noble earl who has just sat down has, in some degree, overstepped the line which other noble lords have thought it right to adopt, in regulating their conduct upon this occasion. I am thoroughly aware, my lords, of the anxiety of that noble lord in the service of the Prince who now possesses the sovereignty, and of his zeal for the public interests, and it is to these motives alone that I attribute his having, in my opinion, overstepped the line observed by others upon this occasion. My lords, the noble earl (Moira) has spoken of points of form interposing obstacles in the way of the proposed arrangement. I am anxious to remove any misapprehension which may arise from this expression; and I trust your lordships will give me credit when I state, that in the little share which my noble friend and myself had in this transaction (only since last Monday,) we were not actuated by any consideration of points of form, but by that of principles, which if not fundamental to the constitution, are at least essential to the existence of a government, with a view to the interests and the welfare of the country. I am also anxious to remove any misapprehension that may arise from an expression used by the noble marquis, and which I confess I do not exactly understand. The noble marquis has spoken of dreadful personal animosities interposing obstacles in the way of the proposed arrangement. I trust that your lordships will give me credit when I state, and that the noble marquis will do me the justice to acknowledge, that in the little share I had in this transaction, I was not actuated by any feeling of personal animosity, but actuated alone by public considerations, arising out of my conviction of public principles, and my view of public interests, [The marquis Wellesley nodded assent, and called Hear! hear!] My lords, such considerations alone actuated my conduct in this transaction; and when the proper time arrives for that conduct to be known, such will be proved to be the fact: the present period, I am fully satisfied, is a most unfit moment for making the disclosure.

The question for adjourning till Friday was then put and carried.

HOUSE OF COMMONS.

Wednesday, June 3.

Orders in Council.] General *Gascoyne* enquired of the hon. and learned gent. opposite, whether it was his intention to bring forward his motion regarding the Orders in Council on Tuesday next?

Mr. *Brougham* replied, that he saw no motive for postponing it beyond the Thursday following, which day it was his intention to fix as the period when he should positively submit his propositions to the House. If indeed it were wished that the discussion should be deferred until something in the shape of a government were formed, he thought that it would be postponing it to a period infinitely too distant for the decision of a question so momentous and important.

Mr. *Rose* observed, that it was impossible that the House could at so early a period be prepared for the discussion: the evidence given at the bar, generally only in the presence of six or seven members, could not be printed in time.

Mr. *Brougham* reminded Mr. Rose, that between five and six hundred pages had already been printed and distributed.

Mr. *Rose* warmly protested against so hasty a proceeding.

NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION.] Mr. *Canning* rose and said:—Having been the channel of communicating to the House on Monday the circumstance that a noble friend of mine, the marquis Wellesley, had on that day received authority from his royal highness the Prince Regent to proceed to the formation of a new Administration, I feel it incumbent upon me this day to state to the House, being in possession of the information, that my noble friend has this morning resigned that authority again into the hands of his Royal Highness. I shall accompany this disclosure with no observation, unless I might be permitted earnestly to deprecate discussion, which can be productive of no good, and may lead to great mischief, by kindling animosities, which are certainly not wanted to add to the embarrassments of the country. Being now, however, in possession of the information, and having been on the former day the channel of communication of the one fact, I thought I should be guilty of something like delusion if I had not communicated the other.

Mr. *Martin*, of Galway, said:—After what has fallen from the right hon. gentleman, the House may be assured that nothing will proceed from me that can in the least degree embarrass any arrangement hereafter to be attempted, but as a member of parliament I feel it my duty to ask one question, and it is this; I address myself to the right hon. gentleman opposite (Mr. Ponsonby)—

Mr. *Calcraft* rose to order. He admitted that a precedent had been the other day set of putting interrogatories to individual members in their places, but he did not think that it was sufficient to authorize the practice. It would be recollected, that on Monday last the question had been read before he had objected; he now interposed to prevent the reading of the question, as well as the answering of it.

Mr. *Martin* replied, that had he not been sanctioned by the proceeding of Monday last, he should not have ventured to propose the question to which he was desirous of obtaining an answer. If the right hon. gentleman, after it had been stated, felt that it was a question which he could not reply to, without difficulty, he would not press it upon him.

Mr. *Calcraft* said, that the point was not whether the question could be answered, but whether it ought to be put in the manner proposed. The practice of a former day had lent some support to this mode of proceeding, but he thought that it ought not to be countenanced.

Mr. *Martin.*—Then I will not put it in the form so much objected to. I will only say this, to what cause is it to be attributed that the negociation—[The hon. member was interrupted by loud cries of Order!]

Mr. *Barham* declared his determination, if the question were persisted in, to take the sense of the House upon it. Whether it were read from a written paper, or put by word of mouth, could make no difference; he warmly insisted, that such interrogatories were wholly out of order.

Mr. *Martin.*—I certainly shall not persevere. My object was to put the country in possession of the cause, as far as I was able to ascertain it, that the negociation set on foot, under the auspices of the marquis Wellesley and earl Moira, had failed. Finding that it is not the sense of the House that I should proceed, I shall acquiesce. In consequence also of what has fallen from the right hon. gentleman on the floor, recommending that the subject should not now be agitated, I shall abandon the notice I have given.

The House then went into a Committee on the Orders in Council.

HOUSE OF LORDS.

Friday, June 5.

NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION.] The Earl of *Moira* rose and said: My lords; I rise to discharge a duty which a noble marquis, whom I regret I do not see in his place, had he been present, I am convinced, would have been anxious to perform; but it concerns a subject of such unprecedented importance, that I could not persuade myself to defer it beyond the present moment. The House will perfectly recollect an expression employed by a noble marquis (Wellesley) on a former night, in which he alluded to "dreadful personal animosities" which he complained had existed: I am convinced that the phrase he employed, escaped his lips without having particular relation to any individual, but from the way in which it went forth to the public, an application has been made of it of a most mischievous nature. From what passed here on the same evening it was found difficult, if not impossible, to apply it to any noble lord present, and it has consequently been construed as pointing to the highest quarter; and of course is calculated to produce the most baneful effect on the public mind. It is to rebut most directly any such insinuation that I now obtrude myself upon your lordships' notice. Could it for a moment be intended or believed that dreadful personal animosities were felt by the exalted personage who now fills the station of a father to his people! My lords, from my long experience of that most distinguished personage, and from what I have recently witnessed of his disposition towards all classes of his countrymen, and of his conduct in the course of the recent transactions, I venture to state, that nothing could be more unfounded, nothing could be more unjust than such an assertion. I am certain, that if the noble marquis could have imagined that the expression he used would have been thus perverted, he would, without hesitation, have recalled it before he quitted the House. In the transactions to which these words had reference, I have to state most distinctly that nothing of the quality of animosity existed; and that in the projected formation of the cabinet, as on the one hand the illustrious personage to whom I have alluded, never did suggest one individual as a fit member, never did shackle or confine the authority given by him to the noble marquis, and never did make the reservation of a single seat to be filled upon subsequent consideration; so on the other hand there never was a stipulation for the exclusion of any person of any description; but that the fullest powers were given to the noble lord commissioned to form the cabinet, to lay before the Prince Regent the most beneficial plan that could be suggested for the establishment of a government competent to discharge the public functions of the nation, in the present most awful crisis. Having stated thus much in explanation, I do not wish, in the absence of the noble marquis, to enter upon other topics, that may provoke discussion, but I beg it to be understood, that I am perfectly ready, when called upon, to go more fully into the general subject; but from what occurred on a preceding evening, I imagine that I shall be allowed to act on my own discretion. I am, however, in the command of the House, and I shall, if it be required, give any information that I have it in my power to communicate. At present I apprehend that I have discharged my duty to the country, in explaining an expression which from misconstruction has been applied to the most injurious purposes.

Lord *Grenville*.—It would, my lords, have been far more satisfactory to me, if my noble friend, who has just resumed his seat, had confined his statement to the single point of assuring you of a fact which I trust none doubt; that whatever discussions may have taken place, and whatever conduct may have been pursued, with regard to recent transactions, nothing is to be ascribed to motives of personal animosity. I agree with my noble friend, that the phrase employed by the noble marquis on a former night, is to be considered as an expression incidently dropping from him, and to which so much importance is not to be attached as it seemed to claim, and as it naturally received. This statement I give as my belief, and not from any authority which I possess to give this explanation of the words used; and I should have contented myself with re-asserting what I told the House on Wednesday, and what I am sure every man who has witnessed any part of my conduct, or that of my noble friend behind me (earl Grey,) would give us credit for: that in the course of these transactions, whether our decision were or were not dictated by a true sense of constitutional principles; whether it were or were not dictated by a just view, as I continue to think, of the nature of the proposition made to us, throughout the whole of our conduct the faintest appearance of personal animosity is not to be traced, nor indeed did it exist in our bosoms towards any individuals, who could by possibility be concerned in the arrangements in agitation. I have before disclaimed, and I do now again solemnly disclaim so unworthy, so dishonourable a feeling, unfit to have place in the minds of public men, at any period, but above all most unfit to have place in the mind of any man who entertains the design of partaking in the administration of the affairs of the country, at this crisis.

Had my noble friend confined himself to an explanation merely upon this subject, I should not have felt the smallest disposition to trouble the House on the present occasion with a single word, for I concur with him, that at this moment it is desirable that all discussion upon the general question, should, as much as possible, be avoided; but I cannot help remarking, that, although I doubt not my noble friend's understanding of the recent transaction is that which he has stated it to be, I think he has asserted what is by no means correct. I must take leave to say, that the impression made upon my mind by an official and authorized paper, which I was called upon to consider, is completely at variance with that which he has expressed. It was distinctly notified to me in that document that the Prince Regent had signified his royal pleasure, that one office, which was particularly designated, should be held by a particular individual pointed out; and that in the whole, four individuals, expressly named, should occupy seats in the cabinet. It is necessary for me to give this explanation, because upon that understanding of the words, to my mind obvious and unequivocal, rested the decision which my noble friend and myself felt ourselves compelled to form;—a decision founded on as anxious a regard for the best interests of the public, as could ever have been entertained by any men. I sincerely regret that the noble marquis, principally instrumental in these transactions, is not now present to state to the House his construction of the terms employed, thus affording an explanation equally important to himself and to the country.

The Earl of *Moira*.—You must, my lords, be sensible, that were I to discuss the subject, alluded to by my noble friend, who last addressed you, I should enter upon an investigation as impolitic, as laborious and irregular; because it is impossible that the House should be able to exercise a mature judgment, or to form a deliberate opinion, when there are no facts before it to afford the requisite information. It would be the more improper, in the absence of the individual who is most materially and immediately concerned. With respect, however, to the conduct of the noble marquis, I would observe, that in my humble judgment it is impossible that any man placed in a situation of such difficulty, could have conducted himself with more high honour, or more delicate uprightness. Whenever this important subject shall be discussed, in which the noble lord must necessarily take a prominent part, and the House is called upon to declare its decision, all persons, I am well assured, will be convinced, that what I have stated is strictly true. As to the particular point to which my noble friend has alluded, I believe that its obscurity is owing to a deficiency of information: I imagined that some misapprehension must have existed, and if any delay has been experienced in the establishment of an administration, I am persuaded that it has been in a great degree, if not solely, attributable to an unfortunate misconception. When it shall have been removed, negociations, I trust, may be renewed in those quarters where talents reside most essential to the due discharge of the arduous functions of the state. If delay have occurred, I am convinced that it has arisen from an earnest desire to obtain assistance from a source most adequate, and not unwilling to afford it.

Earl *Grey*.—It is far from my wish to prolong any discussion on this subject, in the state in which it at present stands, and I should certainly have done what my noble friend (lord Grenville) stated to have been his intention, namely, abstained from troubling the House with a single word, if the statement made by the noble earl who spoke last, had not placed me in a situation, in which it becomes necessary to clear myself at least from misapprehension. It is unquestionably my wish that no *ex parte* statements should go forth to the world before the whole of this important question shall be thoroughly and completely examined; but it is above all things necessary that I should stand clear in the opinion of your lordships, and in the estimation of the public; and if an erroneous assertion has been hazarded by my noble friend (lord Moira), however pure may have been his intention, I must beg leave to correct it: if it be directly adverse to the judgment I have formed after due deliberation, it is necessary that I should state to this House and to the country, that in the decision I adopted, I was guided, as I think correctly, by a diametrically opposite interpretation of the transaction alluded to. I understand the noble earl (Moira) to maintain, in the first place, that the Prince Regent, in the communication his Royal Highness thought fit to make to my noble friend below me, had named no particular person to fill any particular situation; and in the second place, that the proposal came to us perfectly uncircumscribed and unfettered by previous stipulations. That the noble earl does so understand it I cannot for an instant doubt, and I much lament that the noble marquis, who was the channel of this authorized communication, is not present to give his interpretation of the proposal; but having received that authorized communication first personally and verbally to myself, and afterwards when it was committed to writing, and having understood it according to the natural and obvious import of the words, it was impossible for me to act then, or to act now, regarding that proposition, in any other way than that dictated by the plain construction of the language employed. I must here beg leave to read from the written document a single paragraph, the substance of which was first personally made known to me.

"That his royal highness the Prince Regent has signified his pleasure that lord Wellesley should conduct the formation of a government in all its branches, and should be first commissioner of the Treasury, and that lord Moira, lord Erskine, and Mr. Canning should be members of the cabinet.

"That it was probable that a cabinet formed on an enlarged basis, must be composed of twelve or thirteen members; that the Prince Regent wished lords Grey and Grenville, on the part of their friends, to recommend for his Royal Highness's approbation the names of four persons, if the cabinet should consist of twelve; and of five persons, if it should consist of thirteen members, to be appointed by his royal highness the Prince Regent, to fill such situations as might hereafter be arranged.

"That his royal highness the Prince Regent left the selection of the names to lords Grey and Grenville, without any instruction or personal exclusion; that in completing the arrangements, the Prince Regent has granted to lord Wellesley the entire liberty to propose the names of any persons to hold places in his Royal Highness's councils, or any other persons."

This, my lords, was the proposition made to us, and which we understood and understand as naming particular persons, and as limiting, circumscribing, and providing by previous stipulated arrangement, that particular places shall be assigned to such particular persons. Under such circumstances, I need scarcely add, that the proposal met with my decided refusal, sanctioned by the concurrence of my noble friend before me, (lord Grenville,) after consultation with my noble friend behind me, (lord Holland.) It is true, subsequent explanations have been afforded by the noble earl (Moira,) but without professing to have any instructions or authority from the Prince Regent. In doing so, I give him full credit for that anxious desire, to promote the interests, tranquillity and prosperity of the nation, which throughout life he has uniformly displayed. These explanations were, however, private and personal, for the purpose, as he conceived, of removing an imputation upon his conduct, but as I have before said, they were not of an official character. That he was not vested with any powers for this purpose, is confirmed by a letter from the noble marquis, who, referring to these explanations, stated distinctly, that neither he, nor the noble earl, had authority to make any but private communications, and expressed his regret, that they had not the Prince Regent's express commands to enter into such explanations as he deemed necessary. I have thought it due to myself, and to my friends, to notice distinctly these facts, and this notice became further necessary in answer to what fell from the noble earl, on the subject of the delay which has occurred. To the private communications, with the concurrence of my noble friend, I returned a prompt answer, in which I referred to the former official paper, containing the authorized proposal upon which I had already communicated my determination; at the same time, I felt that although these personal explanations, if subsequently sanctioned, might remove some of the obvious objections to the detail, yet they in no degree altered the general principle, on which I had rested my previous decision. Thus much it appeared necessary that I should say, to prevent the possibility of misapprehension, and I lament sincerely, that in consequence of the speech of the noble earl, it was utterly impossible for me to remain silent.

The Earl of *Moira*.—The great difficulty that has arisen rests solely upon the construction to be put upon the document from which the noble earl has read a passage, and I confess, that it strikes my understanding in a point of view directly opposite. The noble lords would probably have thought with me, if they had possessed the same means of judging;

for in a previous interview with the noble marquis, I had an opportunity of knowing the real sentiments by which he was actuated in drawing up the written proposal. The noble marquis will hereafter have an opportunity of bearing testimony to the correctness of my statement; the whole subject was opened with a spirit of the utmost fairness, and with a sincere desire to leave ample room for subsequent discussions and arrangements. With regard to the nomination of individuals; it was to be understood to be a mere statement of a wish on the part of the illustrious personage, who administered the power to the noble marquis, and it was naturally believed that the names introduced would be acceptable to the noble lords, because they shewed the amicable tone and disposition in which the proposal was made. For the last seven years it is known, that although I have not belonged to the party usually designated as the Opposition, and though free from all political engagements, yet our views in general have been so accordant that I have voted with them, perhaps upon more occasions than even some of those noble lords who have been stiled their firm political friends; and this circumstance may shew at least, the disposition with which my name, with others, was inserted as an individual to be honoured with a seat in the cabinet. I see likewise a noble and learned friend (lord Erskine) whose name will likewise be found in the proposal, and to whom the same remark will apply. I can conceive nothing that more decisively and unequivocally shews the intention with which the proposal was framed, than the circumstance that it points to the political friends of those to whom it is addressed. The House will also remark, that there is no designation of particular offices, or indeed of any one office, so that all was left open to the fullest discussion, and I shall be much surprised when the noble marquis is afforded an opportunity of making his statement, if he does not confirm my opinion, that his instructions were of the most general and liberal nature. I will even go further, for unless the nature of the interview between the noble marquis and the noble lords was of a nature entirely different from that which I obtained, the noble marquis must have stated distinctly, that all ulterior arrangements were to be matter of free and unshackled discussion. But, my lords, I am deviating from the course I would lay down, and I am shewing, in my own person, the unfitness of arguing a question before the necessary information is supplied. The truth is, that I put one construction upon the paper; and my noble friends put another, and surely I have a right to contend that it has been misapprehended, and looking at the service of the country as the object in view, it will not be denied that it is a laudable attempt to remove the misconstruction. It might perhaps be expected by some noble lords on the other side, that I should disclose something regarding the present state of the negociation; but though I would discountenance any such communication at present, yet if it be required I shall not shrink from making it, but it will not be forgotten, that it was only yesterday morning that I was able to ascertain what course of proceeding ought to be adopted. Although our efforts have hitherto failed, yet even at this moment my hopes of conciliation and union are not extinct in a quarter where I am anxious that my offers shall be accepted, and which has candidly manifested a disposition to promote the general object. It has been admitted on all hands, that a crisis of greater danger and difficulty never was known; a moment when the country claimed more anxiously the service of every man who is capable of rendering assistance was never recorded in our annals; and I hope, that neither these nor any other discussions may communicate to public men, as I am sure they will not to me, any sharpness of spirit which may delay, or perhaps even defeat, an object on all accounts so essential to the welfare and perhaps the existence of the British empire. Under these impressions I wish at present to go no further, and shall sit down, repeating my firm conviction of the spirit of conciliation with which the original proposal was made to my noble friends.

Lord *Erskine.*—The House will, I hope, excuse me, if, after what has fallen from the noble earl, I feel it necessary to say a few words upon this subject. It appears to me that the real question to be decided is, whether my noble friends are justified in putting the construction they hold upon the written proposition made to them, and the justice or injustice of this construction is to be ascertained by a candid and fair perusal of the paper. I confess for one, never having seen the document, or indeed heard of it, until it was read to me in company with others, I put the same construction upon it as that which is entertained by my two noble friends. That the proposal was made in the most liberal spirit, and from the most honourable motives, cannot be denied; and had the object been attained, the deliverance of the country from its present calamities could not have been placed in better hands. It is, however, most material, that those who, at the present crisis, when all are imperiously called upon to exert their utmost talents for the welfare of the state, refused to accede to the proposition made to them, should point out distinctly, and beyond the possibility of doubt, the solid grounds on which they rested their refusal. It is at all times desirable that public men should stand clear in the opinion of the nation, and as the interpretation I put upon the document was precisely that which my noble friends entertained, I thought it right thus shortly to express my concurrence in the sentiments they have expressed.

The Marquis of *Douglas.*—I obtrude myself unwillingly upon the House for the purpose of impressing upon noble lords the imperious necessity for prompt and vigorous measures. At a period acknowledged to be without parallel, we have now been for some weeks confessedly without a government. I cannot by any means concur in the interpretation put upon the paper by the noble earl (Moira), but I coincide entirely in opinion with my noble friends near me, that it would have placed them in a situation in which they could not conscientiously have acted, and which, if they had consented to have held it, would have been equally unconstitutional and impolitic. The opinion to which I have come has been clearly expounded by my noble friends, and until further investigation at the proper time convince me to the contrary, I shall continue to hold it. In the present condition of affairs something ought to be done, not only for the country, but for public men, and it is due to the noble marquis that a speedy explanation should be afforded. I will not myself suggest any particular day for the discussion of this very interesting subject, but I would recommend that some noble lord, acquainted with the engagements of the noble marquis, should name a period that he imagines will be convenient. I will not detain the House longer than to make a single remark upon the probability that the noble marquis was actuated only by a wish to conciliate in the offer he was instructed to make, and which was refused, according to my views, for the most solid and indispensable reasons. I confess, that it never appeared to me likely that the noble marquis, whose political opinions on nearly all subjects were so opposite to those of my noble friends, should be able to effect that union of parties and sentiments, which at the same time that it is so desirable, it is so difficult to procure.

The Duke of *Athol.*—I had not, my lords, the honour to be present in the House when the expression, an explanation of which has this night been given, was employed; but when it reached my ears I immediately conceived that it had been hastily uttered, and that it was impossible in times like these that personal animosities could agitate a British breast. At present, I think further discussion would be productive only of injury, and had I been in my place on a former night, I would have deprecated then, as I do now, the discussion into which we have been led. I do not trouble the House often with making speeches, but I trust that I shall not on that account be the less forward to devote my life and fortune to the service of my country. I own that I heard with sorrow what fell from a noble earl (Moira), which in my humble opinion was calculated only, by promoting debate, to foster the evil he was anxious to destroy. For my own part, whenever the Prince Regent, exercising the duties of majesty, shall have formed an administration competent to the discharge of their public duties, I shall never be a caviller for particular men or particular measures, being willing to support both the one and the other, when the object is the prosperity and welfare of the state. I shall neither join the party on the one side or on the other, but shall support those men whose wish is to save their country. I am ready to admit that there are men on the other side of the House, able from their talents, and willing from their disposition, to join in so laudable an undertaking, and I trust that their assistance will be obtained to extricate us from the perils, real or imaginary, by which we are encompassed. God forbid it should not be so. I am no party man, and for thirty years I have supported with zeal and fidelity our king, and the best parts of our constitution; in these sentiments I have risen from my cradle, and in these sentiments, I trust, I shall descend into my grave. My principal object in addressing your lordships at present was to deprecate further discussion, more particularly at this moment, when the public feeling is alive, and which can only inform the nation, that no determination had yet been formed. Under such circumstances, I trust that the negociations will be suffered quietly to proceed, in the hope that an arrangement satisfactory to all may be accomplished. I have no place to seek, no favour to ask; I speak only as a British subject, on the broad feeling of love to my king, and safety to my country.

Lord *Boringdon*.—My lords, having the honour to be in the habits of friendship with the noble marquis who has been alluded to, I think it right (although I have had no communication with him upon the subject,) particularly after what has fallen from the noble duke respecting the expression used by my noble friend, of 'dreadful personal animosities,' to state to your lordships my firm conviction that the expression alluded to dropped from my noble friend inadvertently. Certain I am, that it never was in the slightest degree intended to apply to that high authority on whose part it has been so justly and properly disclaimed; and I am fully satisfied that it was not intended to apply to any individual, but was really inadvertently dropped by my noble friend at the moment. My noble friend may have had to encounter with prejudices and dislikes, but I am satisfied that there did not, nor does exist, on the part of any individual, any thing like personal animosity; nor did my noble friend I am persuaded intend so to apply the phrase. My lords, if I may be permitted to say a few words as to the cause of the failure of the negociation conducted by my noble friend, I do believe that its failure arose not from any causes that would have actually prevented its ultimate success, but from my noble friend having in the first instance conceived too sanguine an idea of success. A noble marquis (Douglas) has suggested the propriety of appointing a day for the discussion of the subject involved in the circumstances which have been stated in this House. It is not for me to state to your lordships what would be a proper course of proceeding upon such an occasion, but I am thoroughly convinced that my noble friend (marquis Wellesley) would hail the day of such a discussion, when his whole conduct in this transaction would be before your lordships, with the greatest satisfaction. The noble marquis (Douglas) has, however, made an observation, in which I cannot agree, that success could not be expected in an application made by my noble friend to those with whom he essentially differed on political subjects, and who were, as the noble marquis expresses it, political enemies. My lords, I cannot at all concur in this observation; my noble friend and the noble lords to whom he applied, agreed entirely upon one great point, the conciliation of a numerous class of his Majesty's subjects, and upon other points it does not appear to me, that there were any thing more than technical difficulties that stood in the way of a satisfactory arrangement between my noble friend and the noble lords alluded to.

The *Lord Chancellor*.—My lords, I am so strongly convinced of the impropriety of continuing this discussion, particularly when there is no question before the House, that I shall feel it my duty to move an adjournment, or at least (there being some Bills to come under the consideration of the House) to move that this House do at its rising adjourn till Monday. I have heard, however, with great satisfaction the noble lord (Boringdon) state, that the expression used by the noble marquis, not now present, of dreadful personal animosities, did not in his opinion apply to any individual whatever. Had there been any question under discussion which involved this point, I should have heard all that might have been said by any noble lords upon this subject, meaning, at the conclusion, to have most distinctly disclaimed, on the part of myself and of all those individuals whom I know, any feelings whatever of personal animosity. And to prove, my lords, that I entertain no feelings of animosity towards the noble marquis (Wellesley) who is not now present, I do most earnestly entreat your lordships not to proceed in this discussion in the absence of that noble marquis. My lords, upon a subject in which the expressions used by that noble marquis must form so prominent and material a part of our consideration, I do earnestly hope that your lordships will think it proper not to proceed further when that noble marquis is not present.

The conversation here terminated.

HOUSE OF COMMONS.

Friday, June 5.

Petition from Worcester respecting the Orders in Council.] A Petition of the manufacturers and other inhabitants of the City of Worcester, was presented and read; setting forth,

"That the petitioners are chiefly engaged in the manufacture of gloves and porcelain ware, the former of which has, for a number of years past, afforded the means of subsistence to many thousands of industrious men, women, and children, spread through nearly the extent of the county; and that the chief demand for this manufacture (independent of the home-consumption) has been, for the last twenty years, for the United States of America; and that, since the issuing of the Orders in Council, the demand for gloves for the American market has been much diminished, and, since the operation of the American Non-importation Act, has been entirely lost to the petitioners, the consequence of which has been that most of the manufacturers have suffered greatly from the want of a market for their goods, some have been entirely ruined, and a great number of the industrious men, women, and children, as before stated to be employed in this manufacture, have been forced, for want of employment, to seek relief from their parishes; and that, although porcelain ware has not made a leading article of exportation from the city of Worcester to the United States of America, yet that manufacture is in a very languishing state, increased, if not caused, the petitioners humbly conceive, by the operation of the Orders in Council, which, having very much deteriorated the general trade and commerce of the realm, has, in addition to the very heavy burthen of taxes, much diminished the use and consumption of articles of luxury; and that the great decay in these two manufactories has very seriously affected the city, and a great portion of the county of Worcester, neither the manufacturers nor their work-people having the money to expend with the shop-keepers and others, as they were accustomed to do when in more prosperous circumstances; and praying, that the House will be pleased to recommend to his royal highness the Prince Regent, that the said Orders in Council be rescinded as soon as they conveniently can, if, upon the investigation now in progress in the House, it should appear that they can be rescinded without compromising the honour or the interest of the country."

Ordered to be referred to the Committee on the several Petitions against the Orders in Council.

Negociations for forming a new Administration.] Mr. Lygon brought up the Report of the Committee of Ways and Means.

Sir *J. Newport* said, that the House was reduced to the dilemma, either of withholding the necessary supplies, or of granting them without a responsible minister. He thought, however, a line of distinction might be drawn, which was, to offer no opposition till the last stage of each financial measure, by which time it was to be presumed an efficient administration would be formed: and the present measure in particular, was the less objectionable as it imposed no new duties.

Mr. *W. Pole* said, the present resolution merely proposed a continuation of the old duties; nor, if he happened to remain in office, would it be necessary for him to propose any additional duties.

Mr. *Bastard* declared, that there appeared to him less hope than ever of constituting a vigorous and efficient government, unless the House was resolved to interfere. He could not believe that the feelings of the country or its condition, internal or external, could have been faithfully represented to his Royal Highness, or that the necessity of redressing the grievances of the people could have been sufficiently impressed upon his royal mind. He trusted therefore, that the House would not suffer another day to pass, without expressing the sense they entertained of the importance of addressing the Prince Regent as to the dangers that surrounded the country, and the great events which might be anticipated in the north of Europe. He had no predilection for one party more than another, but he had some predilection for his country. (Hear, hear!)

General *Gascoyne* stated, that it had been his intention, either that day or the next, as might best meet the pleasure of the House, to move an Address to the Prince Regent, which, with their permission, he would read.

The *Speaker* said, that as there was already a question before the House, the hon. member could not, consistently with its orders, submit what would form the matter of another and a future question.

Mr. *Stuart Wortley* was sensible of the deep anxiety felt at present both by the House and the country, and what he wished for was, that while the House felt it a duty to be firm, they should also feel it their duty to be respectful. From what had passed in another place, an expectation was entertained that some explanation would be given on that evening, and he could not help thinking, that it would be advisable to postpone any measure that might be proposed until Monday, when, if the same uncertainty prevailed, he would most readily join in some representation of the sentiments of the House to the Prince Regent.

The Report of the Resolutions was read a first and second time.

General *Gascoyne* again rose, and observed, that he was at a loss to know whether it was or was not the pleasure of the House that he should immediately submit his motion. He would, however, read the Address which he had drawn up, and whatever faults it might have, he begged that they might be considered all his own, as he had consulted nobody in preparing it. He intended, then, on Monday, to move, "That an Address be presented to the Prince Regent, stating, that it became the duty of the House of Commons, as his Royal Highness's counsellors, to advise him on the present unexampled state of the country: that some weeks had elapsed since the death of Mr. Perceval, during which the nation has been deprived of a responsible government: that from the gracious answer of his Royal Highness to the Address of the House, they had expected an administration to be immediately formed, possessing the confidence of the Prince and of the nation: that the House saw, with regret, that the efforts towards framing such a government had proved ineffectual; and that obstacles had arisen which they must lament, but of which they knew not enough to advise his Royal Highness thereon: that it was their wish that a government should be immediately formed, to which there was no doubt that the Commons would afford their faithful assistance."

Mr. *Wortley* moved that the House at its rising do adjourn till Monday next.

Mr. *Martin* professed his intention to oppose the adjournment; and suggested to the hon. general, that it might be better to move that his Address should be referred to a committee.

Mr. *Wynn* said, he should oppose any motion for an adjournment. There never was an instance of a delay of two days, under circumstances like the present. It was the sentiment of Mr. Pitt, on a similar occasion, that time should be measured, not by days, but by hours. In his opinion, the House should sit as often as it possibly could, and exert its vigilance over the proceedings of public men.

Lord *Milton* said, that though it was the usual course to adjourn till Monday, yet on an occasion like the present, they ought to sit from day to day. It was their duty to watch over the actions of their public characters from hour to hour. At present there was no administration: the late ministers merely held the seals till their successors were appointed. Such being the case, it was the paramount duty of the House not to abandon for an hour its office of active vigilance over public men.

Mr. *Wortley* said, there were two evils which it behoved the House to avoid; the one was, the dereliction of its duty; the other, not to manifest a degree of intemperance which was not consistent with the respect due to the personage at the head of the government. As the notice of the motion of the gallant general was entered for Monday, he did not suppose that it was the intention of any member to forestall it by a previous motion; he could, therefore, see no objection to the adjournment.

Sir *J. Sebright* thought that the House, so far from shewing any intemperance, had been guilty of delay. The eyes of the nation were fixed on their representatives, and it became them to interfere with firmness, and without delay.

Mr. *Martin* said, from what had fallen from the other side, it would appear, that they alluded to that person whose duty it was to form a government—that they meant to attach blame to that illustrious person. (Order! Order!) If it was not out of order, he should wish to put a few questions to the right hon. and learned gentleman, who had appeared on a former night so anxious to answer questions which had been framed in concert with him. At that time, indeed, no negociation had been entered into, no conditions had been proposed. Since that period a treaty had been instituted, and broken off, and as public rumour said, on terms. Now he wished very much to know, what those terms were? but as he could ask no questions, perhaps the hon. gentleman (Mr. Wortley) would be able, by his persuasive eloquence, to induce the right hon. gentleman to be explicit.

Mr. *Wortley* said, that the hon. member was totally misinformed, when he said that the questions alluded to were framed in concert with the right hon. gentleman opposite. He had merely asked that right hon. gentleman if he would answer them. That right hon. gentleman was now in his place, and would contradict him, if he misstated.

Mr. *Ponsonby* said, that certainly there was no concert between himself and the hon. gentleman who spoke last; that there was no question framed in his presence, or at his desire, or with his consent; that the hon. gentleman had, in the presence of several friends met together on private business, stated the nature of his questions; and he had declared, that he would answer them in the negative. Nothing more had passed between them.

Mr. *Lascelles* saw no objection to adjourning till Monday, as the motion was fixed for that day: it could not be the intention of the House to proceed to any discussion previous to that motion. He thought also, that it would be prudent in the gallant general, not to be premature in framing his Address. It was impossible to tell, at present, where blame attached; for his own part, he believed, that all the leading public men were actuated by honourable and upright motives; he hoped, therefore, that in the consideration of the proposed question, there might be something like a forgetfulness of party.

Mr. *G. Johnstone* said, it was not difficult to account for the delay which had arisen in the formation of a new administration. There was a sub-division which required that the two great divisions should concede every thing, and wished itself to engross the principal power. If an Address could be framed without any party-mixture, he should wish it to be immediate; and as for himself, he was ready to support any administration which should be appointed. The present struggle for power arose from the natural tenaciousness felt by men of high rank, for high public situations. He thought it the duty of the House to place the most implicit confidence in the Prince Regent, who could not be supposed to form a government inadequate to the services of the state. There were men of talent enough on both sides of the House, to govern the nation; and he should always be willing, whether in office or not, to support the government, consisting of such men of talent. He was perfectly disinterested, and conceived such conduct to be his duty.

Mr. *C. Smith* would support an adjournment till Monday; but thought that the House should then act with vigour and decision.

Mr. *W. Smith* saw no pressing necessity for the House to continue its sittings *de die in diem*. He thought that his hon. friend (Mr. Johnstone) to whom he gave perfect credit for the disinterestedness of his motives, had made an unfit and unauthorized declaration, when he said, that the present delay arose from a struggle for power. It was an invidious remark, unless it merely meant that there were great public questions on which public men could not consistently agree.

Sir *T. Turton* conceived that the House ought to sit to-morrow, to give it an opportunity, should any thing arise, of expressing its sentiments thereon.

Mr. *Tierney* said, he would consent to an adjournment, if the hon. gentleman (Mr. Wortley) would pledge himself to bring on a motion on Monday.

Mr. *Wortley* said, it was impossible to give such pledge absolutely: it must depend on circumstances: perhaps an administration might be formed before Monday; but if nothing occurred, it certainly was his present view, that the House should not separate without some declaration of its sentiments.

Mr. *Tierney* said, he agreed to an adjournment, on condition, that if on Monday things were the same as now, an Address would be moved to his royal highness the Prince Regent.

General *Gascoyne* pledged himself to propose such a motion on Monday; though, perhaps, he might in the interim alter the words of the Address which he had read.

Mr. *Calcraft* said, he should be guided by circumstances; but should be as ready as any member to pledge himself to a performance of his duty on Monday.

It was then ordered, that the House, on its rising, should adjourn till Monday.

HOUSE OF LORDS.

Monday, June 8.

NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION.] The Earl of *Liverpool* rose and said:—My lords; before moving an adjournment, I think it right to say a few words with reference to the questions put to me by a noble duke relative to the situation of the Administration on a former evening, and in consequence of which some discussion then took place. I have now to state to your lordships, that his royal highness the Prince Regent has been this day pleased to appoint me First Commissioner of the Treasury, and that his Royal Highness has given authority for completing the other arrangements of the Administration as soon as possible.

The Duke of *Norfolk.*—My lords; the noble earl has referred to some questions which I thought it my duty to put on a former evening; the noble earl then referred to a well known event, in consequence of which he only held his office till the appointment of a successor, that event was an Address voted in another place, praying his royal highness the Prince Regent to form a stronger and more efficient Administration. We are now informed, that the noble earl is appointed the minister of his Royal Highness, although I am not aware of the existence of any circumstance to do away the event which the noble earl referred to on a former evening, as a reason why he was then holding office only until the appointment of a successor. The noble earl, however, being the minister of the government, I now wish to ask a question with reference to a subject which strongly agitates the public mind; I mean our differences with the United States of America, which by the last accounts from thence, have reached a point of hostility that may yet, however, be averted by timely acts on the part of this government. The lapse of a single day may make a difference of the greatest importance, for an act done promptly on the part of this government, may yet avert all the consequences of hostility on the part of America. I cannot undertake to assign reasons at length for a motion, which I should wish to make, for an address to the Prince Regent, praying that he would rescind the Orders in Council, and I shall therefore confine myself to a question. I wish to know whether there is any intention on the part of the government to rescind the Orders in Council?

The Earl of *Liverpool.*—My lords; with reference to the event alluded to by the noble duke, namely, the Address voted in another place, praying for a stronger and more efficient Administration, I think it my duty to state, that immediately on that Address being voted, I humbly requested of his royal highness the Prince Regent, on the part of my colleagues and myself, that we might not be any obstacles in the way of any proposed arrangement consequent on the Address of the House of Commons, and I trust your lordships will do me the justice to believe, that in the negociations which have taken place, I have been no obstacle whatever to the carrying into effect the prayer of that Address. With regard to the circumstances that have led to the termination of the late negociations to form a new administration, I do not now feel myself called upon to enter on that subject, but my lords, I feel that I should have shrunk from my duty to the Prince, and from my duty to the country, if I had now declined to accept the appointment which his Royal Highness has been pleased to confer upon me. With respect to what has been stated by the noble duke regarding America, there have been undoubtedly some acts passed by the legislative assemblies of the United States, tending more than preceding acts to a hostile character; but the noble duke is mistaken in giving credit to the reports which have been in circulation of any acts of a decidedly hostile nature having been resorted to. As to the Orders in Council, the subject is now, and has been for some time, before your lordships, involved in an enquiry, which at the present moment tends to a termination. When the whole of the evidence is before the House, it will be for your lordships to determine what measures ought to be taken with regard to the Orders in Council. I am not aware that it would be fitting to say more upon the subject at present.

The Duke of *Norfolk*, in explanation.—I did not mean to state that there was actual hostility on the part of America, but that hostility might be prevented by timely acts on the part of this government, and therefore that not a single day ought to be lost without an effort to avert the blow. It was in this view of the subject that I recommended some immediate proceeding; because I feel, that the delay of a single day may be of the utmost consequence.

The Earl of *Moira.*—My lords; had I not been anticipated by the noble earl (Liverpool) I should have felt it my duty to state to your lordships the fact which the noble earl has announced, of his being entrusted by his royal highness the Prince Regent with the authority to form an Administration. My lords, in the exercise of the authority for that purpose entrusted to me by his Royal Highness, I exerted my utmost endeavours to fulfil that mission. I was perfectly aware, however, that in the present state of the country it was no ordinary trust. It was the most important that could devolve upon an individual. Were the object merely to fill up appointments with men of talents, there could be no difficulty, there being amply sufficient talent in the country for the supply of men of ability to the offices of the state; but at a moment like the present, I felt that I should not do my duty in the execution of the high trust reposed in me, if I did not use my utmost endeavours to conciliate the differences of public men, and to form an administration upon public principles, which should at once possess the full and entire confidence of the country. Such was the object of my endeavours. That I have failed in these endeavours I most deeply lament. Deeply lamenting it, however, as I do, there is still this consolation, that throughout the negociation which it has been my duty to carry on, I have met with the utmost frankness and candour on the part of public men on all sides to whom I applied, and I owe it particularly to the noble earl and his friends to state, that they met my proposals with the utmost frankness and candour, and I have only to regret, that their view of their public duty did not permit them to accede to the desired arrangement. My lords, there is still more this greater consolation, that it is now testified to the public, that on the part of his royal highness the Prince Regent, there was in the proposition submitted by his authority to my noble friends, no reservation whatever, and that it was made with the most entire disposition to give every effect to the wish expressed by the other branch of the legislature. That the endeavours made in obedience to that authority have failed, I must again most deeply lament. The result has been, that the noble earl (Liverpool,) has received authority from his royal highness the Prince Regent to form an Administration, which I hope may prove satisfactory to the country. Under the present circumstances of the country, and after what has happened, I shall feel it my duty to give my support to that Administration, so far as is consistent with those public principles which I have so often avowed in this House, and which I must always promote to the extent of my humble ability.

The Earl of *Liverpool.*—I move that the House do now adjourn.

Marquis *Wellesley.*—It may probably be expected of me, my lords, that I should enter into some explanation, respecting what took place at the last meeting of the House, with reference to some expression used by me on a preceding evening. My lords, with respect to my not attending my duty in this House at its last meeting, I was unquestionably ready to give any explanation on that day; but I trust I may be permitted to observe, if any thing can be set off against the duty of attending this House, that I really thought that my presence would be an obstacle to the arrangement, which I then hoped might be made, and I was therefore absent. My lords, when I notified to this House, that I had resigned the commission entrusted to me by his royal highness the Prince Regent, I then stated, that I had full authority from his Royal Highness to state to the House, if your lordships should desire it, all the circumstances connected with my conduct in that negociation, and I again state, that I have that full authority, and that I am ready, if your lordships so please, at this, or any future time, to go over, point by point, every thing that relates to my conduct in this negociation. My lords, my object throughout this negociation was, that three great principles should form the basis of the proposed arrangement:—first, that the laws affecting his Majesty's Roman Catholic subjects should be taken into consideration, with a view to a conciliatory adjustment. Secondly, that the war in the peninsula should be carried on with adequate vigour. And thirdly, that the administration to be formed should not consist of the talents, the opinions, or the strength of one party; that the strength of one party should not be the strength of the country; that the opinions of a party should not be the system of the country: but that, in the present complication of parties and opinions, the administration should be formed from all parties of individuals agreeing in the first two principles I have mentioned, and coming to an arrangement upon other matters. Now, my lords, with respect to an expression which I used on the evening alluded to, to which, subsequently, much reference was made, and which it seems was stated by a noble friend of mine (though, as he mentioned, without any authority from me) to have dropped from me inadvertently. The expression to which I allude was that of "dreadful personal animosities." My lords, in what I stated to the House, I humbly advised your lordships not to call for that disclosure which I was then ready to make, because it would tend to irritate and inflame those dreadful personal animosities which had already unhappily existed in the course of the negociation. My lords, in using this expression, I have no hesitation in stating that I used it advisedly, and that I applied this term "animosities" to the noble earl (Liverpool) and his colleagues, for it was from their conduct that the only obstacles arose to the arrangement which I proposed to make. My lords, I know too well the usages of parliament to apply to any man an expression which he disavows; but I certainly applied it at the time in the manner I have stated, under the impression that the only obstacles arose from the noble lord and his colleagues, and that their conduct could be attributed only to animosity towards me. I do not charge this against them as a crime, or that they intentionally threw obstacles in the way, but I merely state the fact.

The Earl of *Harrowby*.—My lords, after the charge made by the noble marquis, in which I, as one of the colleagues of my noble friend, of course feel myself implicated, I consider it my duty to call upon the noble marquis to bring proofs of his charge, and I am ready to meet it. Is it fitting that such a charge should be insinuated, and the alleged proofs of it postponed till another day? Is it fitting that after a charge made against members of this House of intentionally throwing obstacles——

Marquis *Wellesley*.—I did not say that you acted from any improper motive, or intentionally. I only say that in my mind such was the fact.

The Earl of *Harrowby*.—Well then, my lords, of throwing obstacles in the way of making an arrangement to meet the difficulties of the country? Is it fitting that such a charge should be made without at once entering into the discussion of it? Is it fitting that it shall be said that all facilities have been afforded in other quarters, and that we alone have been the obstacles, without informing your lordships how such a charge can be substantiated? If the noble marquis be prepared to prove his charge, and to repeat here what he has said in other places, let him take the first opportunity to do so, and not postpone his explanation from day to day. Let him explain what he means by the term "personal animosities;" and say whether he intends to avail himself of the apology made for him by a noble baron opposite, namely, that it was an expression uttered loosely and incidentally in the course of his speech; or whether he intends to support his assertion by facts. I call upon the noble marquis to bring proofs of the charge which he has thus insinuated.

Marquis *Wellesley*.—One would really think, my lords, from the lofty tone and manner which the noble earl has assumed—a tone and manner to which I can bend only in common politeness, but to which I by no means submit as a member of this House, that I would not bring proofs of what I have asserted, or that I would insinuate a charge without having ground on which to support it. I did not charge my noble friend (the earl of Liverpool), for so I must call him let what may happen, or his colleagues with any intentions to defeat the object of the resolution of the House of Commons: I only stated the fact, that the noble lords and their friends had been the only serious obstacle that I had met with. The noble earl, in the same lofty tone, and in a style of rebuke which I did not deserve, alluded to the construction which my noble friend near me (lord Grenville) put upon my words, when on a former night I spoke of dreadful personal animosity; and the noble earl adverted to this, as if I had been desirous of sheltering myself under the explanation given of my words, though my noble friend distinctly stated, that he had no authority whatever for that explanation. My noble friend appears to have said, (and his good opinion I certainly value most highly,) that the words had probably dropped from me incidentally, and that they were not entitled to be considered of so much importance as if they had been spoken directly; but my noble friend was too accurate, surely, to have said that I had spoken inadvertently or unadvisedly. I was prevented from going into the details of this subject, lest I should excite irritation; and that I had rightly judged upon that point, the speech of the noble earl clearly proves. On a former day I refrained from entering into any explanation, that I might not revive the dreadful personal animosity which I have met with in the course of these proceedings. This, I declare, upon my honour, I stated perfectly advisedly: and when I did so, I even thought that the noble lords avowed the fact. A noble earl (Liverpool) against whom I have certainly no personal animosity, did on that day disavow any such feeling. Now, all I can say is, that if the noble lords disclaim any personal animosity, I am bound, in a parliamentary sense, to suppose that I was mistaken. I will now, however, state to your lordships, the grounds upon which I considered the obstacle as standing on that ground, and the reasons why I thought that personal animosity had been, in part, at least, the cause of the existence of that obstacle. The first object which I and my right hon. friend who acted with me on that occasion, proposed to ourselves, was to ascertain the agreement of men of all parties in certain leading principles which should constitute the basis of the administration, without expecting an agreement on all other less important points, which might be left for future discussion and arrangement; but the great principles we thought ought to be previously settled. With this view of the subject, we submitted such leading principles to different parties. I submitted them to the noble lords near me (Grenville and Grey), and my right hon. friend laid them before the noble lords opposite. I will now read the propositions and the answers, and leave it to your lordships to judge whether or not I was unfounded in my charge; and whether I deserve the lofty rebuke of the noble earl who spoke last. I submitted to the noble lords near me, whether they found any insurmountable obstacles to form part of an administration formed upon the following great leading principles:—First, that the laws relative to the Catholics should be taken into immediate consideration, with a view to conciliatory measures. Secondly, that the war in the peninsula should be prosecuted on a scale of adequate vigour. The answer I received from the noble lords was, that in such a moment as the present, they were ready to enter, with the utmost frankness, into the consideration of what arrangement could be formed, so as best to meet the exigencies of the crisis; and that no personal feeling should prevent their affording every facility to the accomplishment of the great object in view. This was sufficient for my present purpose. The same proposition was made to the noble lords opposite, and the question put to them in nearly the same terms by my right hon. friend. They were asked, whether they felt any disposition to form part of an administration formed on the above principles. The answer received from the noble lord opposite, was, "that he had consulted his colleagues, and that they did not think it necessary to consider the principles stated in the proposition, as they were all resolved, after what had recently passed, not to be members of any administration formed by lord Wellesley." Another noble lord, having stated the strong repugnance to have lord Wellesley at the head of the administration, thought it enough to refer to the answer which I have just repeated, "as it was not necessary to enter farther into the discussion of a matter of personal feeling." Now I do not mean to accuse the noble lords of any thing dishonourable. Personal feelings may, perhaps, be justified; but surely, after this, nobody can be surprised that it appeared to me, that this answer was dictated by a feeling of personal animosity. If the noble lords disclaim any such animosity, God forbid that I should attempt to contradict that in any unparliamentary way; but your lordships I hope will do me the justice to allow, that I have proved sufficient to show, that I do not deserve the rebuke of the noble lord whom I have been accustomed to call my noble friend. But really it is somewhat difficult for me to call him so now, after he has represented me as shifting and shirking, and wishing to shelter myself under apologies made by others. Your lordships will now judge, whether I had not sufficient grounds both for my opinion and my conduct. As to what the noble lord observed, of saying in other places what was not said here, it may be sometimes necessary and proper to say elsewhere what it would not be fitting to say here. But if the noble lord will point out to me any thing which I have said elsewhere, and which it would be proper to state here, I am perfectly ready to satisfy the noble lord in that respect.

The Earl of *Harrowby*.—My lords, if I assumed a tone which might be considered unbecoming in this House, I have to apologize to your lordships for so doing, but when the noble lord threw out so serious a charge against those with whom I have the honour to act, and myself, of suffering feelings of personal animosity to stand in the way of any arrangement which might be considered beneficial to the country, it became my duty to call upon the noble lord to state the grounds upon which he grounded such an imputation.

My lords, we do not plead guilty to any such charge, and it is a decisive proof that we were actuated by no feelings of animosity to the noble lord, that on the morning of the day on which notice had been given of the Address so often alluded to, which was afterwards voted in another place, we offered to form an administration with that noble lord; himself to have the most distinguished place in that administration, which he himself should point out. But did no circumstances intervene between that period, and the period of the proposition referred to by the noble lord? Was it nothing that the correspondence between the noble lord and my noble friend should have been published, on Thursday, in the newspapers? And this too without the explanatory letter of my noble friend, respecting which a notice was given, that it would be published on the subsequent day; although, had the explanatory letter of my noble friend been published with the other correspondence, the decision in another place might have been very different from what it was. Could we have any confidence in negociating with the noble lord, when it was thus discovered that the public were to be made parties to the negociation step by step, and it is not a little singular, that the noble lord should thus have thought it right to publish this correspondence, and not have thought it equally proper to publish the correspondence in his recent negociation with the noble lords on the other side. But, my lords, it was not merely this: did no other circumstance happen? Was there not a Statement published in the news-papers, in which the noble lord accused his late colleagues in the cabinet, of incapacity to originate any measures for the welfare of the country? Was it not disgraceful to us all, to publish a declaration, that none of us were able to act with him—that none of us were fit to act with him—that we were wholly unworthy and incapable? Nay, the noble marquis went so far as to say, that, for the whole of the two years which he had been in office, perpetual differences of opinion existed between him, and the other members of the cabinet. This is strange! I really have nothing for it, my lords, but to believe that I have been in a dream for these two last years, during the whole of which period, I have fondly imagined that my noble friends and myself were acting in perfect unison with the sentiments of the noble marquis. Public men are so accustomed to this kind of accusations, even from their own friends, that they become callous to them; but the time and the circumstances chosen for the publication, were calculated to wound our feelings in a tenfold degree, to wound them through the memory of him who had just then fallen by the hands of an assassin, whom we considered as the life and soul of our cabinet, and whom we in the highest degree respected and esteemed,—that man of unimpeachable integrity and excellence —him who never wanted defence in the eyes of those who best knew his value. Was this a moment, my lords, for the publication of an attack upon the character of that right hon. gentleman, when he was no longer in existence to answer it? Was it fitting, that when we had just returned from the melancholy duty of following his hearse, that the publication of such a Statement should be thrust upon us? All this roused, not personal animosity, but those feelings which rendered it impossible that we could cordially unite with the noble lord in any administration. My lords, in the result which has taken place, after the failure of the negociations, of which you have heard, no alternative remained. It would have been a gross dereliction of our duty, under the circumstances that have recently happened, to have refused to join in the formation of an administration in support of the just prerogative of the crown; for had we done that, the administration of the country must have been conceded to those, whose opinions are decidedly hostile to those measures, which have been sanctioned by the repeated approbation of majorities of both Houses of Parliament. We have, therefore, felt it our duty to obey the commands of the Prince Regent; if parliament does not support us, it is their fault, we shall have the satisfaction of having done our duty.

Marquis *Wellesley.*—I have listened to the whole of the noble earl's speech with perfect attention, and the result is, that, in my opinion, my previous assertions have been completely proved by every word that has fallen from the noble earl. His whole speech has proved the existence of a feeling, which I will not call personal animosity, because I before stated that I would relinquish that term, as soon as it should be disavowed. I will therefore dwell no longer upon the feeling, or the dislike, or the displeasure, or whatever it is to be called, which produced such peculiar effects. But there was one imputation in the noble earl's speech, which, as the noble earl chose to throw out at all, he ought to have stated in the form of a positive, plain, authentic charge. Does the noble earl mean to insinuate that I was a party to the publication of the Statement[*] to which he alludes, with reference to the right hon. gentleman late at the head of the administration? and yet if he does not mean to insinuate that, how does he make out that its publication rendered it impossible for him and his colleagues to unite with me in an administration? The noble earl

---

[*] The following is a copy of the said Statement:

Statement, &c.

"Lord Wellesley expressed his intention to resign, because his general opinions, for a long time past, on various important questions, had not sufficient weight to justify him towards the public, or towards his own character, in continuing in office; and because he had no hope of obtaining from the Cabinet, (as then constituted) a greater portion of attention than he had already experienced.

"Lord Wellesley's objections to remaining in the Cabinet arose, in a great degree, from the narrow and imperfect scale on which the efforts in the peninsula were conducted. It was always stated to him by Mr. Perceval, that it was impracticable to enlarge that system. The Cabinet followed Mr. Perceval implicitly. Lord Wellesley thought that it was perfectly practicable to extend the plan in the peninsula; and that it was neither safe nor honest towards this country or the allies, to continue the present contracted scheme. No hope existed of converting Mr. Perceval, or any of his colleagues: no alternative, therefore, remained for lord Wellesley but to resign, or to submit to be the instrument of a system which he never advised, and which he could not approve.

"Lord Wellesley had repeatedly, with great reluctance, yielded his opinions to the Cabinet on many other important points. He was sincerely convinced by experience, that in every such instance he had submitted to opinions more incorrect than his own; and had sacrificed to the object of accommodation and temporary harmony, more than he could justify in point of strict public duty. In fact, he was convinced by experience, that the Cabinet neither possessed ability nor knowledge to devise a good plan, nor temper and discernment to adopt what he now thought necessary, unless Mr. Perceval should concur with lord Wellesley. To Mr. Perceval's judgment or attainments lord Wellesley (under the same experience) could not pay any deference, without injury to the public service.

"With these views and sentiments, on the [16th] of January, lord Wellesley merely desired permission to withdraw from the Cabinet; not requiring any change in his own situation, and imploring no other favour than the facility of resignation. This plain request was notified to the Prince Regent and to Mr. Perceval as nearly as possible at the same moment of time; with the expression of lord Wellesley's wish, that the precise time of his resignation might be accommodated to the pleasure of his Royal Highness, and to the convenience of Mr. Perceval, as soon as the restrictions should expire.

"The Prince Regent received this notification with many gracious expressions of regret; and Mr. Perceval, in writing, used expressions of regret, and also of thanks for the manner in which lord Wellesley had signified his wish to resign.

"Mr. Perceval, without any communication to lord Wellesley, instantly attempted to induce the Prince Regent to remove him before the expiration of the restrictions; and repeatedly urged the attempt with great earnestness; severally proposing lord Moira, lord Castlereagh, and lord Sidmouth, or some of his party, to supersede lord Wellesley without an hour of delay. Mr. Perceval never gave any intimation to lord Wellesley of these proceedings, nor even of his wish for lord Wellesley's immediate retirement.

"The Prince Regent still pressing lord Wellesley to retain the seals, he submitted to his Royal Highness's commands; declaring at the same time, his anxious desire to be liberated, as soon as his Royal Highness should establish his government.

"When it appeared, at the expiration of the restrictions, that the Prince Regent intended to continue Mr. Perceval's government, lord Wellesley again tendered the seals to his Royal Highness with increased earnestness. On that occasion, being informed that his Royal Highness was still at liberty, and was resolved to form his Cabinet according to his Royal Highness's own views, and being commanded to state ought not to have presumed to state—I use the word in its strongest sense—he ought not to have presumed to state, that the publication was by my authority, without a perfect knowledge that it was so. My lords, I do expressly deny being a party to that publication. The facts are simply these:—when I tendered my resignation of the office I held to the Prince Regent, his Royal Highness, with that graciousness and benignity which are so peculiar to him, was pleased to request me to continue to hold that office, until the expiration of the restrictions upon the Regency. I obeyed his Royal Highness's commands; but having found that, previous to the expiration of the restrictions, the right hon. gentleman alluded to, had recommended two or three times to the Prince Regent my immediate supercession, I did, in a conversation with the noble and learned lord on the woolsack, than whom I am satisfied, there does not exist a more honourable man in the country, I did express to that noble and learned lord (and I call upon him to contradict me if I am incorrect) that it was unmannerly in the person alluded to, to go to the Prince Regent two or three times to recommend my immediate supercession. There were many reasons for my wishing to resign, besides the prominent ones, which are already before the public. I long before wished to resign; but the vilest calumnies were circulated on the subject. I was charged with extravagant ambition. I was charged with bargaining for more power. This was all calumny. I simply asked leave to resign.—As to the statement which was published, there are expressions in it which it must be manifest are not mine; the fact is, that many of my friends, who were very anxious with respect to the causes of my resignation, took down in writing, expressions which I dropped in the heat of conversation, some of which I would now recal, but which I would not substantially retract. Many applications were made to my friends for the publication of the Statement, but it was uniformly refused, and so far from my being a party to the publication, I was horror-struck at seeing it published, at the time at which it was made public, and I would have given any sum of money to have recalled the publication. How, then, does the noble earl make out that I was a party to the publication?—The paper was not mine. It may be a trifling thing to talk of language; but it was not couched in language which I should have used in a document intended for the public eye; and more especially at a moment when the public had lost a man of the most irreproachable character, of the most perfect integrity, of the mildest heart, of the most amiable qualities—full of every private virtue. But all this does not make it necessary that I should acknowledge him to be possessed of that power and frame of mind which marks out a man for the conduct of great public concerns. It can be no insult to any man to say, that he is not qualified for the high offices of state. I highly respect and es-

---

his opinions on the subject, lord Wellesley declared, that in his judgment the Cabinet ought to be formed, first, on an intermediary principle respecting the Roman Catholic claims, equally exempt from the extremes of instant, unqualified concession, and of peremptory, eternal exclusion; and secondly, on an understanding that the war should be conducted with adequate vigour. Lord Wellesley said, that he personally was ready to serve *with* Mr. Perceval on such a basis; that he never again would serve *under* Mr. Perceval in any circumstances. He said that he would serve under lord Moira; or lord Holland, on the proposed principles; but that he desired no office, and entertained no other wish than to be instrumental in forming such an administration for the Prince Regent, as should be consistent with his Royal Highness's honour, conciliatory towards Ireland, and equal to the conduct of the war on a scale of sufficient extent. He made no exception to any prime minister but Mr. Perceval, whom he considered to be incompetent to fill that office, although sufficiently qualified for inferior stations. He offered to act under any other person approved by his Royal Highness; but he stated, that his own views rendered him much more anxious to resign instantly.

"The Prince Regent commanded lord Wellesley to continue, until his Royal Highness should have communicated with Mr. Perceval through the Lord Chancellor. Lord Wellesley stated, that such a communication must prove useless, but submitted to his Royal Highness's earnest desire. In two days afterwards, lord Wellesley received, through the Lord Chancellor, the Prince Regent's acceptance of his resignation, and accordingly delivered the seals to his Royal Highness on the 19th of February, 1812."

teem my noble friend opposite, for so I must still call him, but it does not follow from that, that I am bound to consider him as a fit man to be placed at the head of the government. An intimate knowledge of the virtues of the right hon. gentleman before alluded to, could only be gained by a long acquaintance. I had little personal acquaintance with him, but so far as I could judge, I highly respected his virtues; I sympathise with his friends; and I consider the act which deprived him of existence as a stain upon humanity. His blameless life, his purity of mind, and his having fallen in the service of his country, has thrown the lustre of martyrdom around his memory; but with all that respect for his virtues and the excellencies of his character, I feel it my duty to say, that I did not consider him as a fit man to lead the councils of this great empire.

I will now proceed to another part of the noble earl's speech, in which he asserted, that I had never expressed any difference of opinion from the rest of the cabinet. It is true that I might continue to act in unison with the other members on particular points; I might approve of their conduct partially; but because I did not dissent from them on every question, is it to be presumed that my sentiments on all subjects, however great and important, were in perfect coincidence? The noble lord says that I never disagreed, and his statement, as compared with my conduct, puts me in mind of a certain counsellor in India, who, in any remonstrance he made, was never supposed to be in earnest until he threw an ink-stand at the head of the governor general. In the cabinet I certainly never went so far: I always endeavoured to act, as far as I could, with perfect cordiality; but I did imagine, until now, that I had shewn sufficient ill-humour to convince my coadjutors of the different opinions which I entertained. I approved of many of their measures, but if I were wrong in so doing, I can only say, that if upon the same terms we should ever meet again, I will endeavour to correct my error. There yet remains another charge to be repelled, I mean the publication of the Correspondence which passed during the negociation which I was empowered to conduct. I may perhaps have been blamable in allowing it, but if I have erred, I have erred from habit, for it is a very ordinary practice with me to satisfy the public by authentic information, upon a subject to which they look with the most painful anxiety. I am not aware, that in the letters which were written on either side, there was one word that ought to be concealed. I protest most solemnly, that I thought I was acting in a way best calculated to secure the characters of the noble lord and myself. But further I am accused, of not publishing on the same day, the explanatory letter transmitted to me by the noble earl (Liverpool), and which he, for good reasons no doubt, begged that I would not answer. I was desired, however, to annex it to the correspondence, and how was it possible for me to imagine, that it was not to share the general fate? There might be some cause of complaint, if I had not published it at all, but it seems it was not published on the same day. I own most honestly, that I really thought the explanation wholly extraneous; as a friend of mine expressed it in another place, I believed it to be entirely of a controversial nature, and if it did not accompany the other documents, I was of opinion that it ought never to have appeared at all. It has been maintained, however, that the want of a knowledge of this letter, had occasioned a very disagreeable vote in another place. This, however, is by no means the fact, for the friends of the noble earl took care to remedy the evil, by printing it several hours before the discussion which ended in this disagreeable vote, commenced; it was printed too without any reply to it, and here, I think, I have a right to charge the noble earl with something like unfairness. I protest to God, that so far from thinking that I had acted unkindly, I imagined, that by forbearing to publish his explanatory epistle I did him a favour, and I unfeignedly believe that his friend who caused its promulgation, did the noble earl a most essential injury. The complaint is to be made not against me who withheld it, but against him who published it. These, however, my lords, are quite trivial considerations, and I am ashamed that the noble earl (Harrowby) felt himself reduced to the necessity of going into the detail of such insignificant points. The House will judge upon the whole case, whether every circumstance stated and relied upon by the other side, does not in the strongest manner confirm the position which alone entitled me to address your lordships, namely, that obstacles were opposed by the noble earl to the establishment of an Administration, and that these obstacles originated in feelings of a personal nature.

The Earl of *Harrowby*.—I confess that the publication first alluded to by the noble marquis, did leave a heavy weight upon my mind, from which I am happy that by his explanation I am now relieved; but if, indeed, it was so extremely unpleasant to his feelings that it should go forth into the country, I am surprized that I did not see in the paper immediately succeeding, a complete disavowal that it had been printed under the authority and with the approbation of the noble marquis.

Marquis *Wellesley*.—I am happy to find I have succeeded in relieving the mind of the noble earl from any burden which he found painful; and I beg to declare most positively and solemnly, that I knew nothing of the publication until it was shewn me by a friend in the newspaper in which it was contained.

Earl *Grey*.—In the greater portion of this interesting discussion, having no personal concern, I should not have interfered but for one circumstance. The noble marquis has acted with his usual manliness in coming forward not to explain, but to re-assert with justifiable distinctness the expressions he employed on a former occasion. The statement he made in confirmation carried conviction to my mind, and I believe to that of the House, that the words were not used inadvertently; a supposition indeed which I confess never entered my mind; and if I had entertained a hope that they were unfounded, the speech of the noble earl (Harrowby) would have completely disappointed it; for although in the first instance he indignantly pleaded not guilty to the charge of personal animosity, he occupied nearly the whole of his address, not in a denial of its existence, but in a statement of language and reasoning in justification of the feeling which operated upon him and his friends in rejecting the proposal made by the noble marquis. I admit that it is painful to be convinced that personal animosity, in times like these, can be found to agitate any bosom; but I am gratified at the proceeding we have this night witnessed, because it has given my noble friend an opportunity of giving an explanation regarding the publication of a certain paper, which has exculpated him from the charge of impropriety; and it has, besides, removed from the mind of the noble earl opposite a most oppressive burden. No allusion having been made to my conduct or to that of my friends, during these transactions, I should not now have risen to trouble the House, were it not for a remark that dropped from the noble earl (Harrowby), towards the conclusion of his speech. He stated, that in consequence of the vote of the House of Commons, declaring them inefficient, his noble friends had deemed it proper to resign the situations which they then occupied. In my judgment they acted rightly and constitutionally in so doing, and if their conduct had been different, they would have set an example that might have been fatal to the practice of the constitution. But it now appears that they are re-placed in those offices, and having before thought it their duty to withdraw, they now feel it equally their duty to resume situations from which they had been driven by a vote of the House of Commons, which declared them incapable of conducting the affairs of the nation. They have now, however, re-taken their seats, that the government may not fall into the hands of persons of whose principles and measures, according to their assertion, the country universally disapproves.

The time will certainly arrive when all the proceedings which have been had upon this subject will be fully explained to parliament. At present, and merely as a key and explanation to them, I beg to state, that the attempts made to form an administration, as far as we were included, were made upon the following terms:—That we should be morally certain that the principles which we have maintained and acted upon through life would be over-ruled in the cabinet. I had a strong suspicion (and I will fairly confess that the existence of such a feeling as suspicion did operate upon my mind, with regard to the proposal made) of that which has now been distinctly and unequivocally granted, either that we were not to be admitted into the cabinet at all, or that we were to be bound down in such a manner that the public should have security, that the principles and measures to which, during our whole parliamentary existence, we have been pledged, should be decidedly overruled. The same suspicion occurred to my noble friend near me, lord Grenville.—Was this, I appeal to the House, I appeal to the country, a fit, a decent proposal for us to accept? What is there in my conduct, what is there in my life, which should induce even a momentary belief, that I would consent to degrade myself into an instrument, a tool, to accomplish the designs of others?—Was it really believed that I would now support measures I have strenuously and uniformly condemned?—Shall I permit myself for an instant to indulge the idea, that any man could dare to hope that for the despicable emoluments of office, I would barter the principles that have actuated my life, or that I would now at once abandon those measures which, in my opinion (formed after no little labour and experience) are essential to the salvation of the state?—My lords, I wish to make no lofty pretensions to disinterestedness and independence, I ask for nothing but what I have a right to claim: my life is before my country, and my countrymen shall be my judges. But I am aware that I have a duty to perform to my friends, and a duty to discharge to my country; to those friends to whose steady and honourable attachment I owe so much, and to that country whose misfortunes and whose miseries I so deeply deplore. There is no man more anxious than myself, as far as is consistent with my honour, to outstretch a feeble but a ready hand to save the sinking nation: whenever my humble services are called for, there is no danger that shall appal me, no difficulty from which I will shrink.

Give me leave however, my lords, to remark, that I stand in a situation in which I am justified in saying, that unless I am called to government consistently with the principles I have throughout professed; unless I am allowed to recommend and support measures in the cabinet that I have recommended and supported in the House, unless I can still act with that honour it has been my pride hitherto to maintain, there is no extremity of poverty which I would not embrace with cheerfulness, and no accumulation of misery that I would not endure with resignation, rather than consent by the abandonment of character, to lose that by which dignity and wealth should ever be accompanied.—For myself, my lords, I will never become one of any government, unless I have complete security and assurance that the principles I have professed shall be fully and fairly discussed, and the measures which I consider absolutely necessary for the salvation of the country adopted, and with these sentiments I have now little prospect of being called to the councils of my sovereign. I would rather at any time enjoy mental tranquillity than personal ease, and resting on the bosom of my country, I shall pity her sorrows, and lament that I am not permitted to attempt their relief.—I lamented in the speech of the noble earl opposite (Harrowby) to witness a spirit which in these distressful times cannot be too much deprecated, and which was far from the mode in which it has been met on this side of the House. I impute nothing to design, but certainly the contrast is striking. In my intercourse with the noble marquis and my noble friend (Moira), I have discovered nothing but an unceasing and earnest desire to conciliate: they were actuated by the most pure and honourable motives; they had nothing in view but the general good, and I am persuaded that they were not themselves aware of the secret management, of which they were the instruments, and I am as confident of the fact as I am of my existence, that the procrastination and delay so much to be regretted, has arisen from no other cause than an anxiety to form an administration calculated to retrieve the nation from its present calamities. But are they to compel us to resign securities which we conceive necessary to the preservation of our honour?—Thus much my lords, I felt myself bound to say in consequence of what fell from the noble earl, and in conclusion, I have only to request that your lordships will bear in mind, that when attempts were made to induce us to join the new administration, it was only to be accomplished by a departure from principles, to the maintenance of which we have pledged our lives, and what I trust is still dearer, our honour.

The Earl of *Moira*.—The noble lord who has just taken his seat, has made allusions to transactions in which I was concerned as the authorised negociator, in which he has contended that I was imposed upon. He has given me all credit for candour and liberality, but I shall not consent to be paid off by this general compliment to my honour at the expence of my understanding; I shall not be satisfied with being told that I conducted myself with frankness, but that I was only a dupe, and that I was not aware of the designs to which I was instrumental. I assure the House that I would never have undertaken the negociation at all, if there had been a single particle of reservation in the authority with which I was entrusted. I appeal to your lordships, after the evidence I have given, knowing, as you do, the confidence reposed in my advice by the illustrious personage who now presides over the state; when I have proved to you and to the country that no seduction of power, no object even of honourable ambition could induce me to recommend to the Prince Regent any administration I did not think competent to the dangers of the times; I say, I appeal to your lordships, whether you believe it possible that I could commence so arduous an undertaking with my hands tied, as the noble lord has described, or be so blind as not to comprehend the nature of the proposition I was commissioned to make? Is it fit that such general and indefinite assertions should be hazarded? I call upon the noble lord to state distinctly and explicitly the point to which he alludes. I do insist, in the face of the world, that through the whole progress of my negociation with the noble earl and the noble lord, I stated, beyond the possibility of misapprehension, that my instructions were of the most liberal and unlimited nature. The whole of the transactions shall, however, appear before the public, and they shall judge whether I attempted any imposition, or whether any imposition was attempted upon me. The transactions from beginning to end were conducted with an austerity of fairness, if I may use the phrase, which is, perhaps, unparalleled. I claim of the noble earl a statement of the particular circumstances to which he alludes, that I may repel the assertion in as haughty a tone as he ventured to make it. My lords, I feel that I have not deserved this reproach: it is a disgrace which I do not merit, and which I cannot bear; if he can bring forward but the shadow of proof, that even unknowingly I submitted to be made such an instrument, I will bow my head to his reproof, and to the degradation that must ensue; if he cannot, "I will repel the blow as proudly as 't was given." Personally to the noble earl I address nothing: he has spoken of me as a public man, acting in a public capacity, and I demand of him, as a public man, a further explanation; for according to my judgment, perhaps imperfect, I have discharged my duty with a proud severity of conscience. I state again, that there never was on the most insignificant point the slightest reservation, or hint of reservation; the powers given to me were complete and ample, and whenever limited, they were limited only by my own sense of what was due to the public. I now call upon the noble earl more satisfactorily to explain his meaning.

Earl *Grey*.—In what I addressed to your lordships, I meant to guard myself most cautiously against personal imputations; above all, against such as could be directed to the noble earl. The tone that has been assumed by the noble earl in replying to my remarks, shall not prevent me from repeating, that I never attributed his lordship's conduct throughout this negociation to any other but the most honourable and generous motives. The noble lord and the House know, that of his integrity and honour I never had the slightest suspicion; nor did I venture an insinuation to their disparagement. Not only has such been my conduct in this place, but I appeal to my friends round me, with whom I have privately conversed, whether an expression of that nature ever escaped me. However erroneous I have thought his judgment, which was never swayed but by the generosity of his heart, I have ever paid a profound reverence to his motives. I am really at a loss how to state to the House the impression made upon my mind by the whole of these transactions, in any way that will carry with it conviction. It is true, I have constantly remarked an unwillingness to come to the point, not on the part of the noble earl, not on the part of the noble marquis, but on the part of the individual who was to give effect to the negociation they had conducted. What is the history of these transactions? The noble marquis, in the first instance, made the proposal to us which he has this night read to the House. Was our answer to be termed a rejection of the proposition? For a whole week we had no communication from the noble lord, and the next intimation we received from him was, that his commission was suspended. In what was that interval of a week employed? Not to introduce us into the councils of the Prince, but to attempt to connect the noble marquis with noble lords whom I now see on the opposite side of the House, to our exclusion. I doubt not that the noble lord acted rightly in making the proposal; I have already stated to the House that proposal, and I have the satisfaction of believing, that there was not a peer present, whether my political friends or my adversaries, who was not convinced, that to such an offer we could not have with honour consented. How stood our affairs in the commencement? Can I forget that I received authority to form an administration, but that his Majesty's government was continued by his Royal Highness, from the most amiable motives

—the hope of the recovery of the King, but at the same time we received assurances, that if his royal father should not be restored, and the Prince should assume the reins of government, he would act upon those principles he had formerly entertained, and that the commission with which I had at first been entrusted, should be restored. Conscious of nothing that could induce his Royal Highness to recal his gracious purpose, we did entertain hopes of being indulged with the confidence of our sovereign. We were disappointed; yet to the first proposition made by the noble marquis, confessedly without authority, we returned an answer which shewed our disposition to conciliate, in compliance with the general wishes of the nation. The next step was the renewal of the proposition with full powers, although the noble marquis had previously in vain solicited authority to explain what he imagined had been misconceived. My noble friend (earl Moira) with that frankness which characterizes him, commenced his negociation, and he will do us the justice to admit, that he was met with equal alacrity and liberality. To avoid any delay that might arise, I brought forward a difficulty that forcibly struck my mind, and in consequence, the noble earl broke off the intercourse, declaring that he could proceed no further. From the high honour—I may say the chivalrous honour of the noble earl—I am sure he will do me justice on that point. That he acted conscientiously I have no doubt, but the impression upon my mind from all the circumstances, was that which I before stated to your lordships. Hereafter an opportunity will be afforded of more detailed examination of the causes of that strong impression, the statement of which was called forth by what was stated by the noble earl (Harrowby) on the other side of the House. If I am wrong, the House will be able to decide, and I shall lament if their decision be not such as to confirm those sentiments which I found it impossible to repress.

The Earl of *Moira.*—I am sincerely happy to assure the House that I am completely satisfied, and I trust, that if I said any thing to create an unpleasant impression, it is as completely effaced from the recollection of the noble earl as what he stated is from my own. Into what passed between me and an illustrious personage, it would be indelicate for me here to enter, nor will it be more proper that in this stage, I should dwell upon the various causes of delay alluded to by my noble friend. I trust I have adopted that generous spirit throughout these transactions, without which I should have been afraid to act, and which is in truth, only a kind of honour. If the point alluded to by the noble earl, on which my negociation terminated, had been such in my view as he represents it in his, I should have held myself deeply criminal if I could have consulted the feelings of any individual, even of that personage who fills the exalted station of the first magistrate of the state, in preference to the interests of the country. My opposition to the wishes of my noble friend arose from this circumstance, that I conceived it to be in the first instance improper in point of form for me to comply with them, and in the next, that had I complied, the consequences would have been singularly mischievous. But in negociations of this kind, for the sake of removing ill grounded suspicions, is it incumbent upon me to resign that judgment I am called upon to exercise on the part of my sovereign and the public? Is it reasonable to expect that I should give up my notion of right and wrong? Upon that, and that alone, the negociation was broken off. The noble earl is conscious that I came to the subject unfettered in every way; not an individual was named for a seal, and no place was pointed out even for myself. I was met in a manly way, and with the same spirit I resisted and rejected the pretension of the noble earl. The nature of that pretension will, in all probability, be afterwards discussed; for the present I beg to assure him, that I am perfectly satisfied with the explanation he has afforded.

Lord *Grenville.*—My lords, for one I shall be well contented to allow this matter to rest, until the documents can be laid before your lordships; but as an individual concerned in the recent events, I lay in my claim to assert, and when required, to prove, that in every part where our conduct was implicated, it was not on a pretension, as the noble earl terms it, but on a difference regarding a most important point of the constitution, necessary, as we conceive, to the good government of the empire, that our dissention was founded. My noble friend asks, whether it was to be required of him that he should sacrifice his judgment to our wishes? Such a desire would be preposterous, but let me likewise ask your lordships, and I request you to ask yourselves, whether our judgment was to be yielded to the noble earl on points of material and fundamental importance, when the question was no less than this, whether we could consent to become efficient members of an administration formed on a principle, which, in our deliberate opinion, was calculated to overthrow the acknowledged practice of the constitution?—I will not trouble the House longer now, by a more minute examination of the question, but I thought these few words necessary, that the principle on which we proceeded might not be mistaken or misrepresented. Farther I will not at present proceed, but when the subject is discussed in detail, the House, as has been already remarked, will discover what it is fit that parliament should take upon itself.

The question of adjournment was then put from the woolsack, and agreed to.

HOUSE OF COMMONS.

Monday, June 8.

NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION.] Lord *Castlereagh* said, that he thought it proper to acquaint the House, that a noble earl (lord Moira) had that morning resigned into the hands of his royal highness the Prince Regent the authority committed to him; and that the earl of Liverpool had accepted the office of First Lord of the Treasury, and had received commands to proceed to the formation of an administration. Under these circumstances, he hoped that the right hon. gentleman (Mr. Canning), and the hon. and learned gentleman (Mr. Brougham), would see the propriety of delaying the discussion of two such important and vital questions as those relating to the Catholics and to the Orders in Council, till the government was fully established.

Mr. *Canning* professed himself willing to fix a later day. There was one difficulty—an hon. gentleman (Mr. Martin) had given notice of a motion substantially the same. If that hon. gentleman would postpone his notice, he would fix for his own motion Thursday the 18th.

Mr. *Martin* said, he would give place with great pleasure: his only reason for giving his notice had been the hope, that the right hon. gentleman would be called to a high rank in the government of the country,—a hope which he would not yet relinquish.

Mr. *Rose* was surprised that the hon. and learned gentleman should think of agitating a question of such consequence to-morrow, when a fourth part of the evidence was not yet printed, and it would therefore be impossible for members to be masters of the subject.

Mr. *Brougham* said, that called upon as he was, he was bound to attempt to set himself right with the House; and that he might have an opportunity of so doing, he would move that the call of the House which stood for Wednesday be postponed till Friday. The observation made by the right hon. Vice President of the Board of Trade, as to the quantity of evidence printed, was not consistent with fact. The testimony consisted of seventeen parts; the sixteenth part he had seen that morning, and he understood that the seventeenth would be printed and delivered either that day or to-morrow morning. He did not intend to move the question to-morrow, but on Thursday, by which time members would be perfectly able to read the evidence, especially as a great part of it had been printed some weeks. It was painful to him to bring forward such an important subject for discussion under the present state of the government, but he felt it was a subject on which delay might produce ruin. Would any gentleman who had read the late accounts from America, say that the discussion could be deferred without the almost certain ruin of the country? While the House sat patiently waiting till one great political interest could be matched with another great political interest—till this man's influence could be balanced by the nicely adjusted influence of another—what in the mean time was passing in America? In urging an early day, he was endeavouring to prevent a war with America. He begged the House to consider the evils of delay. There were an hundred delegates at their bar, waiting to know whether they should carry back to their thousands of unemployed workmen, news either of life or starvation; and yet the House was to be called on to wait till certain intrigues, or arrangements (call them what they would), could be agreeably settled. There was now a full and complete parliament: there was also, as they had just been told, a responsible minister; nor could he see what would be lost by an early discussion. Lord Liverpool, notwithstanding the vote of the House declaring his incompetency, had been appointed prime minister; and yet this was mentioned as a reason why the enquiry should not now be pursued. He trusted the House would hold it quite impossible to defer the deliberation to a later day than Thursday.

Lord *Castlereagh* said, if the hon. and learned gentleman persisted in his intention, he should think it his duty to take the sense of the House on the inexpediency, if not the indecency, of agitating a question of such importance under present circumstances. He must again complain of the desultory statements which that hon. and learned gentleman thought fit to introduce on every notice. Nothing, in his opinion, was less consistent with the duty of a member of parliament, than to proceed to the discussion of so complicated a question, before ministers were appointed, who might take charge of the discussion: he could not conceive that the hon. and learned gentleman was confident of his case, if he wished to drive the House to a decision before such appointment. He did not know where that hon. and learned gentleman picked up his information, but it was impossible that he could be adequately informed of the political relations of this country with America. He had no doubt that sufficient evidence would be adduced to rebut the charges brought forward by the hon. and learned gentleman, and to convince the House, that these reprobated measures were as beneficial to the manufacturers, as they were honourable to the country, in repelling the unjust aggressions of the enemy. If the hon. and learned gentleman, however, utterly ignorant as he must be, of those relations with America, should persist in his motion, his conduct would be unparalleled, not, indeed, in his own instance, but in the instance of any other grave person in that House. As to what had fallen from the hon. and learned gentleman, on the subject of the Address of the House of Commons, he, for his part, utterly denied, that the vote fixed any charge of incompetency on his Majesty's ministers. He hoped that what he had said, might induce the hon. and learned gentleman to consent to abandon his motion, at least till a ministry could be formed.

Mr. *Wortley*, before he proceeded to give notice of a motion, wished to ask a question of the noble lord.

Mr. *Martin*, of Galway, rose to order, though at the same time he did not wish to interpose between the hon. gentleman and his question. He was proceeding at some length, but was called to order by lord Folkestone; who said, that it was disorderly to call a member to order without stating the reason for it.

The *Speaker* confirmed this assertion.

Mr. *Martin* said, there was nothing disorderly in the conduct of the hon. gentleman, except that he followed the will of the House, and—

The *Speaker*. It is my duty to tell the hon. member that he is entirely out of order.

Mr. *Martin* said, it was the custom of the House, and therefore, he presumed, the order of the House, that no questions should be put: but as he imagined that the question might be of use, he should not object to it.

The *Speaker* said, it was not strictly in order, and where it tended to obstruct rather than to accommodate public business, he thought it advisable not to put a question.

Mr. *Stephen* spoke to order, on the ground that there was another question before the House.

Mr. *Wortley* was proceeding, but

Sir *F. Burdett* rose to order: he thought a question might be fairly put on any important occasion, and that the hon. member (Mr. Martin) might justly feel hurt, at seeing the privilege granted to another which was denied to himself.

Mr. *Wortley* did not mean to press his question now, but would, with the permission of the House, before its separation, enquire into the exact state of the administration.

Mr. *Wilberforce* said, it was a different thing to put a question to a minister, and to any other member of the House.

Mr. *Rose* insisted on the necessity of further delay, with regard to the motion of Mr. Brougham.

Mr. *Stephen* protested against any precipitate decision; he would appeal to the House whether the majority of them had been able to read the evidence. What had been last printed was in favour of the Orders in Council, and it would be unjust and partial not to allow due time to consider this evidence, as well as that on the other side of the question. As to the rupture with America, the remedy proposed would tend to the abandonment of our maritime rights, and the paralyzing of our maritime arm.

General *Gascoyne* called to order, on the ground that the hon. and learned gentleman was debating the general question of the Orders in Council.

Mr. *Stephen* denied it, and said, his arguments merely tended to urge the necessity of some delay.

Lord *Milton* said, he rose to take notice of an expression dropped by the noble lord (Castlereagh,) as to ministers "taking charge" of a discussion. So far from agreeing with this unconstitutional doctrine, he should be glad of an opportunity of discussing a great and important question, when there was no government existing to influence the debate.

Lord *Castlereagh* explained, that without ministers the House could not obtain full knowledge of all the circumstances necessary to a decision.

Mr. *Whitbread* observed, that to a stranger accidentally coming in, the expression would carry a very different import. As to our correspondence and relations with America, all the world was in possession of what was denied to that House; and yet the noble lord who withheld this information, gave this very circumstance as a reason for delaying discussion. The admonition given to his hon. and learned friend (Mr. Brougham) would, he thought, apply much better to an hon. and learned gentleman opposite (Mr. Stephen.) He begged the House to reflect, that the country was waiting, with breathless anxiety, for the result of the debate of the House of Commons: that the delay of a week might turn the scale, which was now balancing between peace and war. Gentlemen would have time before Thursday, or they never would have time. In the Walcheren business, there was only an interval of a week between the giving of the testimony and the debate. With his apprehensions of the danger of delay, he thought his hon. and learned friend would not be justified in postponing the debate beyond Thursday.

Mr. *Marryat* said, he saw no necessity for the hurry, in bringing forward this question, which the hon. and learned gentleman seemed to be impressed with. As to what was passing in America, it did not allude, or belong to the Orders in Council, but was intended to deprive us of our maritime rights. He thought it was necessary, at least, that the whole of the evidence should be fully before the House, and in the hands of the several members who had not attended the examination in the committee some days before the discussion took place; that every one might have an opportunity of comparing the evidence on both sides of the question. He hoped, therefore, the hon. and learned gentleman would consent to put off his motion to some more distant day.

Mr. *Baring* said, the only evidence not yet printed was that of the hon. member who had just sat down, and that evidence was in his opinion, the strongest there was against the Orders in Council. He must, however, confess, he found a difficulty in going into a question of this great importance in the total absence of an administration. On the other hand, he could not but ask, how long was the House to wait for that event? A delay of nearly a month had already taken place, without an administration having been formed; and there was no saying, as matters had lately gone on, when the task would be accomplished. He thought, therefore, that they should come to some understanding on the subject. Would the noble lord, and the right hon. gentleman (Mr. Rose) agree to an early day in the next week? If they would, he for one would be inclined to postpone the business; but if no proposal was made from that side to some such effect, he should support the day fixed on by the hon. and learned gent.

Mr. *Rose* said, he thought Friday sennight would be the earliest day that it could be brought forward, with any chance of a due consideration being given to evidence which was so voluminous.

Mr. *Brougham* said, that when he considered the responsibility which rested on him, he did not feel himself at liberty to accede to any delay whatever. If the House thought proper to take on itself to do so, they certainly had the power; but he would not take any part of the responsibility on himself: and, indeed, should the House be inclined to allow any delay, he saw no reason why they should extend it beyond to-morrow se'nnight.

After some short conversation between him and Mr. Rose, it was finally settled, that the motion should come on on Tuesday se'nnight and Mr. Brougham gave notice of it accordingly.

General *Gascoyne* said, that it was much against his inclination to postpone the motion, of which he had given notice for this day; but in consequence of what had been communicated to the House by the noble lord, he would defer it to Wednesday, when, if an administration was not formed, or in the highest state of forwardness, he would certainly bring it forward.

Mr. *Wortley*, before the noble lord left the House, begged leave to ask him the question to which he had before alluded, and that was, whether the Prince Regent, in nominating lord Liverpool to be the first commissioner of the Treasury, had vested him with a power similar to that given to lords Wellesley and Moira to form an extensive and efficient administration, or whether he was to make it up out of those who had been in before?

Lord *Castlereagh* said, it was not in his power to give an answer to the question.

Mr. *Wortley* then gave notice that he would to morrow move an Address to the Prince Regent, to express the regret of that House, that his Royal Highness had not been able to form a strong and efficient Administration, according to the tenour of the Answer given to their late Address, that he would endeavour so to do. He had, in bringing forward this motion, no wish or intention to impute any blame to the Prince Regent, or to his ministers, for not having succeeded in their endeavours; but after the late Address of the House, and the Answer returned to it, he thought the House of Commons had a right to an explanation.

Lord *Castlereagh* said, he would leave it to the discretion of the hon. gentleman, if it would not be better to postpone his notice for a few days.

Mr. *Tierney* said, he thought the noble lord had better name a day, when he thought lord Liverpool would be able to form an efficient Administration.

Lord *Castlereagh* said, he thought Thursday or Friday would be as early as he could name.

Mr. *Wortley* then fixed Thursday, and gave notice accordingly; and general Gascoyne postponed his motion to Friday.

HOUSE OF COMMONS.

Tuesday, June 9.

PETITION FROM LONDON IN FAVOUR OF THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] The Sheriffs of London attended at the bar, and presented to the House a Petition from the lord mayor, aldermen, and commons of the city of London, in common council assembled, setting forth,

"That the petitioners view, with the deepest concern, the intimation of his Majesty's ministers, that, in submitting to parliament a proposition respecting the renewal of the East India Company's Charter, it is their intention not to confine the East India trade to the port of London, from whence it has been carried on for two centuries; and that London has hitherto been not only the seat of government but also the principal depository of merchandize, and consequently the general resort of foreigners who have frequented it for the purpose of supplying themselves with goods suitable to their particular markets and demands; and that the metropolis has thus been enabled to give to nearly one tenth of the population of the kingdom occupation and support, afforded to the government at once, easy, secure, and expeditious means of collecting the import revenues, which bear a most important proportion to the annual burthens, and upheld the credit, honour, and character of the mercantile part of these realms; and that, in the attainment of these great national objects, the limitation of the East India trade to the port of London has been found essentially useful, by the establishment of spacious docks, considerable manufactories, warehouses, storehouses, and other necessary and commodious buildings, by the constant employment, even during a long continuance of war, of many thousands of workmen, artificers, artizans and labourers in these establishments, both in the city of London and on the banks of the river Thames, upon whose occupation depends the subsistence of a vast and increasing population, and, by the building and equipment of ships and vessels, communicating full and immediate relief to very numerous classes of persons engaged in different capacities and pursuits; and that the petitioners, solemnly disclaiming all selfish considerations and narrow jealousies, in consequence of the intimated extension of the trade to and from India to the outports, do not oppose such extension on the ground of withholding what, in other respects, would be truly desirable, the fair means of honourable enterprize and open competition, but from the certain conviction, that were the port of London deprived of the privileges which it at present enjoys with respect to the East India trade, the consequences would be both disadvantageous to themselves, and injurious to the interests of the country at large; and that, while the port of London has enjoyed certain privileges which have produced the most essential benefits to the commerce, strength, and revenue of the empire, full and sufficient liberty has not been withheld from other cities and towns in the kingdom to employ their capitals and direct their trading pursuits to points capable of affording ample returns and remuneration; and that, with regard to these cities and towns, until the late unfortunate state of affairs in the mercantile world, their exertions have been crowned with success, with the exception of the communication opened with the Spanish and Portuguese settlements in America, a circumstance which, whilst it involved many of the adventurers in severe distress, or complete ruin, cannot but hold out convincing reasons for great reserve and caution in embracing new sources for speculation; and that, although the quantity of tonnage appropriated by the East India Company to the private traders of the United Kingdom, independently of the usual allowance to their own officers, has, during the last six years, amounted to upwards of 63,000 tons, it is ascertained that of that quantity 16,230 tons only have been employed, of which 7,000 tons have consisted of wine and beer, leaving a surplus of little more than 9,000 tons, or 1,500 tons annually, for all kinds of stores and British manufactures; and that the expectation entertained by several branches of the manufacturing interest throughout the country of the great benefits likely to result to them from an encreased exportation to India, appears erroneous and delusive, inasmuch as it is incontrovertibly established, by the experience of the last six years, that the market of India is altogether incapable of extending the consumption of British manufactures beyond the present demand; and that it appearing impracticable, in any material degree, to increase the import of profitable commodities from, or to augment the export of British manufactures to, India (little more than one tenth of the allowed quantity of tonnage for the private trader in these manufactures having been employed), it necessarily follows that, in neither instance, can any beneficial extension of commerce be realized; and that all new adventurers who may engage in them, must, if even successful, merely enjoy a share or portion of that which is already carried on; a result which, without communicating any additional advantages to the country, without invigorating national industry, and rewarding the spirit of commercial enterprize, must split that into parts and fractions which is now conducted and concentrated as a whole, and terminate in its transfer from one set of hands to another, with incalculable disadvantages, and perhaps with total ruin; and that the wisdom, if not the necessity, of limiting to one point for exportation the various articles drawn from very distinct and distant parts of the interior, which compose the comparatively small quantity of British manufactures sent to India, appears undeniable; and that the removal from the port of London, of the trade to and from India, would tend to the injury of that excellent nursery of our seamen, the coasting trade, affect the inland navigation of the kingdom, and lead to the deterioration of the quality of the different articles now imported from India and China, and disposed of at open and regular sales; and that, as a subject of finance to which the port of London has so very largely contributed, the revenue deriving, in the single article of tea, the yearly averaged amount of nearly four millions in the five last years, the petitioners cannot view the proposed extension to the out ports of the East India trade without the most alarming apprehensions, as, from the very extensive scale of ports throughout the United Kingdom, smuggling would be more easily carried on, and the revenue defrauded, to the injury of the public interests, and the detriment of the fair trader; and that the increased facility thus afforded to smuggling, would, by the introduction of prohibited goods, depreciate our own manufactures, and defeat the very ends which the recent resolution and applications of the manufacturers for the extension of the East India trade to the out ports, under the fallacious hope of augmented consumption, profess to have in view; and praying the House to take into their most serious consideration, the connection already existing between the East India trade and the port of London, and to adopt such measures as to their wisdom shall seem meet, to prevent the extension of the said trade to the out ports, or other cities and towns of the United Kingdom."

Ordered to lie upon the table.

PETITION OF THE EAST INDIA COMPANY FOR A LOAN.] Mr. Wallace presented a Petition from the united company of merchants of England trading to the East Indies; setting forth,

"That since the passing of the Act of the 33d year of the reign of his present Majesty, by which the trade to the East

Indies and China, and the government and possession of the British territories in India were vested in the petitioners for a certain term, which is not yet expired, large sums of money have been raised in the East Indies, in the name and on the credit of the petitioners, and debts have been contracted by the petitioners in that country for the purpose of the defence and protection of such British possessions, and for purposes of wars in which the British nation has been engaged with European powers; and such debts bear interest, and some of them are payable in the East Indies, and others of them have been discharged by the petitioners, by means of money raised on their credit in this country, under the authority of parliament; and that by virtue of the terms of the obligations for other part of such Indian debt, further sums to a large amount will be shortly payable in this country, and the ordinary funds of the petitioners at home will not be sufficient to enable them to discharge such sums of money so payable in respect of such debts; and that owing to circumstances which have arisen, the petitioners apprehend that it will not be practicable for parliament to make provision in the present session for the settlement of the trade and the government and possession of the British territories in India to take effect on the determination of the term now held by the petitioners therein; and that bills of exchange drawn in discharge of Indian debt, so contracted as herein before mentioned, will become due and payable previous to the 1st day of January next, so as to require a sum of 2,500,000*l.* beyond the funds arising in the ordinary course of the petitioners' concerns, which will be applicable to such payment within that period, and the petitioners will not be able to raise the extraordinary funds wanted, nor to make provision for re-transfer of part of the Indian debt back to the East Indies without the aid and authority of parliament; and that various accounts and matters which required consideration and arrangement previous to the petitioners making this application were not arrived from India till the time fixed by the House for receiving Petitions for private bills had expired; and praying, that leave may be given to present a Petition, praying the House to take their case into consideration, and to grant them such relief as it may require."

Ordered to be referred to a committee, with power to send for persons, papers, and records.

PETITION OF MERCHANTS, &C. RESPECTING THE ORDERS IN COUNCIL.] Mr. *Whitbread* presented a Petition from certain manufacturers and merchants, praying that the House would not delay longer than necessity might compel, their decision upon the Orders in Council. The hon. gentleman said, that considering the nature of the Petition he held in his hand, the accounts which were daily arriving from the country, where, to use the language of the petitioners, ruin and starvation were increasing to an alarming extent, and the general anxiety felt by thousands as to what their decision would be, he thought his hon. and learned friend (Mr. Brougham) justified in his eagerness to bring on the question. He hoped, therefore, that neither the noble lord opposite, nor the right hon. Vice President of the Board of Trade, would interpose any obstacles to its being brought on on Thursday sen'night. He knew that a right hon. gentleman's notice (Mr. Canning's) stood for that day; but he had no doubt that right hon. gentleman would postpone it to another.

The Petition was then read; setting forth,

"That the petitioners beg leave humbly to state to the House, that they have been informed it appears by the votes that the order for calling over the names of the members of the House, which stood for to-morrow, has been postponed to Friday sen'night; and that the petitioners feel conscious that the House will not proceed to a deliberation, on the result of which the commercial existence of the petitioners, and the subsistence of thousands of the labouring manufacturers, must depend, but upon the fullest attendance of its members; and they are therefore apprehensive that this delay of the call of the House must be the means of postponing the consideration of the evidence taken at the bar of the House relative to the distresses of the manufacturing parts of the country; and that the petitioners are grieved at the interposition of any delay, and they approach the House in a state of the greatest anxiety and distress, humbly to implore that the earliest consideration possible may be given to the great question now pending before them; and that accounts which arrive daily from the country, addressed to the petitioners, present the most afflicting pictures of increasing distresses, amounting to nothing less in divers instances than ruin and starvation, and which it is no longer in the power of the petitioners, or other master manufacturers with exhausted capitals, to avert; and that advices from America, both public and private, are also of the most alarming description; and the petitioners do therefore pray the House to pardon their impatience, whilst they humbly but earnestly implore them to proceed without delay to a decision on a point whereby the House will dispose of the fate of the petitioners, and that of thousands of the industrious subjects of this kingdom."

Ordered to lie upon the table.

HOUSE OF LORDS.

Wednesday, June 10.

The House met at two, and resolved itself into a committee on the Petitions against the Orders in Council.

INSOLVENT DEBTORS' BILL.] The Earl of *Lauderdale* moved the second reading of the English Insolvent Debtors' Bill.

The Earl of *Moira* stated, that the amendments proposed for the permanent Insolvent Debtors' Bill had undergone the desired consideration, and that there was every reason to expect that a permanent measure would at length be agreed upon; but as that might not be the case during the present session, he should give his support to the temporary Bill in the mean time. He intended, however, to propose to extend the sum now limited to 2,000*l.* to an unlimited amount.

The *Lord Chancellor* stated his intention of supporting this temporary Bill, in the event of the permanent measure not being carried into effect during the present session; and with respect to the amendments in the former suggested by the noble earl, he observed, that they were entitled to receive the best consideration.

The Bill was read a second time, as was also the Irish Insolvent Debtors' Bill.

HOUSE OF COMMONS.

Wednesday, June 10.

The right hon. Nicholas Vansittart, Chancellor of the Exchequer, took the oaths and his seat.

CATHOLIC QUESTION—ORDERS IN COUNCIL.] Mr. *Canning* stated, that in his absence an arrangement had been come to respecting the day on which the hon. and learned gentleman (Mr. Brougham) was to have submitted his motion respecting the Orders in Council, which arrangement would materially interfere with the question which he (Mr. Canning) was to introduce upon the same day. He was willing, however, if the House would consent to it, to wave his day, the Thursday of that week, provided he was allowed to bring it forward on the preceding Wednesday.

The *Speaker* said, that the established usage was against accelerating notices.

Mr. *Canning* said, that he had merely thrown out the suggestion for the sake of mutual accommodation, and that, if not approved of, he must then adhere to his day.

The *Speaker* said, that whatever might be thought by the members present a matter of convenience, might appear as other than convenience to the members absent.

Mr. *Wynn* would not hear of the doctrine of notices, as interfering at all with the right of a member of parliament to originate any proposition in that House.

Lord *Castlereagh* admitted the abstract right, but thought that it was the last right that gentlemen would be disposed to insist on. He expressed a hope, that the right hon. gentleman and the hon. and learned gentleman would so arrange it, that the question of the former could come on by the Monday following.

After a few words from Mr. Whitbread and Mr. Brougham, on the necessity of an early decision upon the question respecting the Orders in Council, and also from Mr. Canning, stating the great inconvenience that must result to the Irish gentlemen if his question was postponed, it was agreed, that Mr. Canning's motion should come on upon Thursday se'nnight, and Mr. Brougham's upon Tuesday next, the 16th instant.

Mr. *Spencer Stanhope* rose for the purpose of putting a question to the noble lord opposite. He wished to know if it was intended, on the part of the present ministers, that the same policy in every respect, should be observed by them in reference to the Catholic question, which had been observed by the administration under the conduct of a late right hon. gentleman.

Lord *Castlereagh* said, that he felt some difficulty in answering the question of the hon. gentleman literally, the arrangements for the new ministry not having been yet fully completed. But as to the spirit of the question, he thought he could be more satisfactory. He could say this from his knowledge of those employed in forming that administration, that generally, their sentiments remained the same. Upon a former occasion, they had thought, inclusive even of those who were favourable to the measure, that the present was not the time for discussing that question; and in still thinking so, that recent decisions of parliament formed a leading consideration in influencing the adoption of that opinion. The sense of parliament having been, at least for the present, definitively pronounced, they thought that any immediate revived discussion would only create irritation, without being productive of any thing useful. He was aware, however, of the growing change in favour of those claims, and in submission to that change, and the real sentiments of certain members of the government, it had been resolved upon as a principle, that the discussion of this question should be left free from all interference on the part of the government, and that every member of that government should be left to the free and unbiassed suggestions of his own consciencious discretion. He did not pretend to disguise from himself the difficulties and embarrassments which might individually arise from arrangements of such a nature, but—

Mr. *Calcraft* rose to order. He said the noble lord was making a speech instead of answering a simple question.—Cries of Order! Order! Go on, go on!

Lord *Castlereagh* said, that he thought when indulgence of this kind had been afforded to so extensive a latitude, to others, he might be permitted to profit by it in some small degree. He repeated, that difficulties might arise, but still that he, as a member of that government, should, if the question came before him, vote as then might seem best to him, and support such measures as appeared to his judgment best calculated to be useful to the empire and conciliatory to Ireland.

HOUSE OF COMMONS.

Thursday, June 11.

Orders in Council.] Mr. *Rose* gave notice, that he should to-morrow move, that the evidence taken before the committee to which the Petitions respecting the Orders in Council had been referred, be taken into consideration on Monday se'nnight.

Mr. *Brougham* begged to recall to the recollection of the right hon. gentleman, that he had already given notice of a motion to the same effect for Tuesday next, which would supersede the necessity of the motion now proposed by the right hon. gentleman.

Mr. *Rose* was perfectly aware of the hon. and learned gentleman's motion, but it was his intention to take the sense of the House on the subject to-morrow.

Eccesiastical Court.] Lord *Folkestone* begged to ask a right hon. and learned gentleman opposite, whether he had yet done any thing respecting a Bill which he had some months ago promised to bring forward? The noble lord alluded to that to which he had directed the attention of the House, when the case of Mary Ann Dix was under consideration, for the better regulation of the inferior Ecclesiastical Courts.

Sir *William Scott* said, the matter had not slipped his memory, and declared his intention to submit some measure respecting it on an early day.

Petition of Samuel Scuffum, a Prisoner in Lancaster Castle.] Sir *F. Burdett* presented a Petition from a person named Samuel Scuffum, a prisoner confined for debt in the Castle of Lancaster, complaining of having been treated by the gaoler with unjustifiable severity. The Petition having been read:

Mr. *W. Bootle*, as a magistrate for the county in which the gaol in question was situated, begged to express his conviction that every allegation of the petitioner was unfounded, and that the harshness which had been complained of must have arisen from the misconduct of the prisoner himself. He bore the highest testimony to the general humane character of the gaoler of Lancaster Castle, and said that so far from ever having evinced any disposition to treat the persons under his care with severity, he had always been considered, and indeed, had been admitted so to be by the prisoners themselves, indulgent to an excess. Under these circumstances, he expressed a hope, that the hon. baronet would seize the earliest opportunity of moving for a committee to take the Petition into consideration. The petitioner might, if he had chosen, have applied to the magistrates for redress, but as he had thought proper to adopt a course which was only a sort of authorised way of libelling the character of an honest and worthy individual, he trusted the real merits of the case might be examined.

Mr. *Beckett* also expressed his wish to have the charge investigated, convinced as he was, the result of any enquiry would tend to place the character of the gaoler in question, in the creditable light it deserved.

Sir *F. Burdett* said, he knew nothing of the facts alleged, he was a mere agent on the occasion, but should certainly, for the sake of both parties, take an early opportunity of moving for a committee to enquire into the circumstances.

The Petition was ordered to lie on the table.

MR. STUART WORTLEY'S MOTION RESPECTING THE FAILURE OF THE NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION.] Mr. *Stuart Wortley* said, he had some time since brought forward a motion for an Address to the Prince Regent; and that the transactions of the last three weeks had been the consequence of that Address. He now hoped that the House would agree with him in the view which he should take of these occurrences, and in the motion which it was his intention to found upon them. His object in the former instance, had been to express the sense of parliament, that the government formed on the death of Mr. Perceval was not such as could expect to possess the confidence of the House and the nation. Three weeks had passed away from that period, and things were precisely at the same point; precisely the same government conducted the public affairs. He thought, therefore, that it was the duty of the House of Commons to obtain all the information in their power, and then to address the Prince Regent with their opinion on the course which ought to be pursued in this important crisis. In order to a clearer comprehension of the subject, he would take a review of the last three weeks. For the first ten days after the Address of the House, no advance was made towards the formation of an administration; some explanations, indeed, had passed between particular parties, but no progress was made in the constitution of a government. It was matter of regret that such delay had taken place, and to it much of the subsequent embarrassment was certainly referable. Of the negociation of lord Wellesley with lords Grey and Grenville, he would merely say, that it came to nothing; and he was free to say, that it was of such a nature that he had at the time thought that it must, and ought to come to nothing; for instead of leading to the formation of an efficient administration, it would have led to nothing but disagreement and disunion. Last Thursday, however, lord Moira had received an unlimited, unconditional power from the Prince Regent; and had expressed to lords Grey and Grenville, that all the great and leading questions of policy would be laid at their feet, to be managed at their will. Lord Moira, however, would not agree to what was insisted upon as a preliminary condition—the regulation of the houshold: and on this account it appeared, that those noble lords were content to throw away all the great and darling objects of their political wishes, for the accomplishment of which they had been contending during the whole of their lives. This appeared to him to be unjustifiable. Their excuse, indeed, was their jealousy of the influence which they supposed existed somewhere, over which they could have no controul. The conduct of the noble lords seemed to him the very way to strengthen that influence; for suppose the persons alluded to, (he meant no personalities) were to be turned out, would they then be less able to exercise this supposed predominance; or would they, for being turned out, be less inclined to exert it? and was such conduct a proper or likely method of conciliating the mind of him whom it must be most wished to conciliate; especially when all their great leading principles of policy were allowed them in full discretion? When these great principles, in which, according to the view of the subject entertained by the noble lords, the fundamental interests of the country were concerned, were granted to them, they ought, according to his idea of the matter, to have made a peace offering of all the rest.

So much on private grounds; but on public grounds, was it wise,—was it politic to hold up such an implied charge to the public,—to promulgate such a stipulation? What proof had they,—what proof had the public, of the truth of such an implication? Was it because the noble lords were not called into office at the beginning of the Regency? He believed that the nation at large then approved of their exclusion. Was it because they were not called to the government of affairs, when the restrictions expired? Even then a great part of the nation were not displeased at their non-admission: and he thought, now that an opportunity had offered, these noble lords had debarred themselves, by their own conduct, from becoming the administration of the country. He said not this from any disrespect to those noblemen: with lord Grey he had the happiness to be personally acquainted; and no man could entertain a higher idea than he did of the superior ability and exalted honour of that noble lord: he thought highly also of lord Grenville, although he had not the honour of any personal acquaintance with him; and it was with regret that he saw the nation deprived of the services of such men; but in such circumstances as had occurred—circumstances occasioned by their own act, it was impossible the country could have had their aid.—What followed? Lord Moira resigned his powers, and by that noble lord's advice, the Prince Regent called in once more the assistance of his old servants. With this he was not satisfied, because he imagined a stronger administration might be formed, and he wished to see the state have the advantage of the talents of all parties. If he had seen a fair prospect that the Prince Regent might be advised to avail himself of the services of all who could be brought together to act on the same principles, he should not have made his present motion; but as it was, he hoped for the concurrence of the House in the Address which he should now move; but if he failed in that object, at least he should have the satisfaction to know that he had done his duty. He then moved, "That an humble Address be presented to his royal highness the Prince Regent, to express our regret that the expectations held out in his Royal Highness's most gracious Answer to our Address of the 21st of May have not yet been realized; to assure his Royal Highness of our determination to support, with undiminished zeal, such measures as may appear calculated to ensure prosperity at home, and respect abroad; but, at the same time, humbly to represent, that (consistently with the duty we owe to our sovereign and our constituents), we can no longer defer the expression of our earnest entreaties, that his Royal Highness would form, without delay, such an Administration as may be entitled to the support of parliament and the confidence of the nation."

Mr. *Cartwright* thought this Address implied an indirect censure upon the person whose duty it was to form an administration, when in fact no such censure was deserved. He would ask, whether the executive government had not used every possible means to form an administration?—In one instance, the negociation had gone off, because the noble lords thought they would not possess a sufficient preponderance in the cabinet, while, in the other, although lord Moira had received unlimited powers, and after it been settled that every place in the cabinet should be at his and his colleagues disposal—it went off, because those noble lords could not obtain the power to dismiss the houshold. Under these circumstances, he must say, the executive branch of the government was not to blame. His hon. friend had said, that they were now come back to the same administration which they had had in the first instance. This was certainly the fact; yet, after the pains that had been taken by his Royal Highness to form an administration, in obedience to the wish of parliament, it was not unreasonable to suppose that he would, without being solicited so to do, lose no opportunity of strengthening the government by every means in his power. He did hope, that the abilities of his right hon. friend (Mr. Canning) would have been added to the ministry, and he had to regret that this hope had not been realized. Upon the whole, he could not help deprecating the adoption of any measure, which by throwing an imputation upon the executive government, might again throw the country into confusion and embarrassment, and in conclusion, he remarked, that the difficulty experienced in forming a government accordant with the feelings of the people, was the most striking proof that could be adduced of the transcendant talents of Mr. Perceval, whose unhappy fate had created such universal sorrow, and whose situation it was found so difficult to fill.

Lord *Folkestone* rose for the purpose of moving an amendment. He observed, that both the hon. gentlemen who had last spoken, had directed their arguments to subjects, which, in his opinion, were unfit for discussion. They did not enter into a view of the situation of the country, but talked of the quarrels which had taken place in the negociations to which they had alluded, with which the House had no business to interfere, and which had been made known to the public more for the convenience of the parties concerned, and for the gratification of their feelings, than with any intention to benefit the country.—No mention had been made of the melancholy state of the country, or of its interests being again entrusted to the hands of those who were known from experience to be inadequate to the direction of public affairs, and from whom all the evils with which it was overwhelmed were known to have sprung. If it was known, as he believed would not be denied, that this was the case, he thought the House ought plainly to express that feeling to his Royal Highness, and not lose time in presumptuously deciding upon who was fit or who was not fit to form part of the government. If there was one maxim more prominent than another, in the principles of the constitution of this country, it was that the appointment of the ministers of the crown belonged to the first magistrate. With these appointments the House had nothing to do, and any attempt which might be made to dictate the nomination of particular individuals was highly unconstitutional. The hon. gent. (Mr. Wortley) had, however, proceeded to pass censures upon two noble lords for their refusal to form part of the proposed administration. He had yet to learn, that it was incumbent upon any man to undertake a responsibility, or to accept a situation, which it might be thought his abilities qualified him to undertake, and more especially in times like the present. He conceived it was in the breast of every man to refuse or accept such appointment as he thought proper, without justly being exposed to the censure of any person whatever.—It was not a little extraordinary, that the noble lords (Grey and Grenville) had been for five years past reproached for their anxiety to get into office, but the tables were now turned, and there was nothing but censure for refusing office. This he thought was rather a harsh measure of justice to deal out to them. Then the hon. gentleman stated, however, that an interval of ten days had occurred, during which nothing had been done, and to which he attributed a considerable share of the disappointment which had since prevailed, when he admitted, moreover, that the offer originally made to those noble lords, if accepted of by them, could only have led to disunion. He was surprised at the inference to which the hon. gentleman had ultimately come. These were circumstances which, to his mind, rather went to prove that there was something latent in the whole of the negociation, and that there was something covert—which did not meet the eye, and which would not suffer those noble lords to accept of office in a manner honourable to themselves or advantageous to the country. Such was his view of the case, as made out by the statement of the hon. member. These, however, were not the real grounds on which a judgment as to the propriety of the motion submitted to the House could, according to his conception of the matter, be satisfactorily formed. Whether the noble lords were justifiable or not in the course they had thought proper to pursue, he did not mean to discuss, nor did he conceive it of any importance to the country. It appeared to him that the real consideration was the state of the country, its finances, and its foreign relations. These were the topics to which the attention of the House ought to be directed, and which it was impossible to contemplate without feeling the utmost alarm. And these were the circumstances which should be exposed to his Royal Highness in their true colours, in a firm and dignified manner, and not in the feeble language which characterised the Address that had been proposed. In that, not one word of the commercial or financial difficulties of the country had been adverted to—difficulties which were too prominent and too heart-rending to escape the observation of the most unthinking individual. It was impossible not to be alarmed at perceiving, that the country was still in the hands of the persons who had brought it into that state. If the House looked to the returns of commerce for the last twelve months, it would be found that there was a falling off in the official value, of ten millions in the manufactures of the country exported, while in the real value the diminution was not less than 16 millions. In the finance department the decrease was proportionately great. The produce of the taxes had decreased three millions, while the expenditure had increased five millions; and all this from the measures of men, into whose hands it was proposed to again place the welfare and prosperity of the country, into the hands of men who had been twice voted out of office for their incompetency. At the beginning of the war it was known that the same men were in power—they might not, indeed, hold the same offices, but they certainly occupied the same administration, and their collective talent, whatever they possessed, was the same; and when it was considered, that the self same individuals were again voted out of office within the last three weeks, upon the ground of incompetency, he felt confident the House would agree with him in the strongest expressions of disapprobation at their re-appointment. Under this conviction, he begged leave to move as an amendment, that after the word "That," words to the following effect should be inserted:—"An humble Address be presented to his Royal Highness, expressive of the deep regret of the House, that the Address of the 21st of May, praying his Royal Highness to form a strong and efficient administration, had ultimately failed of effect; stating that the House felt great concern, that after the answer of his Royal Highness, the same persons who had already experienced the disapprobation of the country, should be again intrusted with the management of public affairs; that it was the bounden duty of the House, under these circumstances, to again address his Royal Highness, and to endeavour to impress upon him the perilous situation of the realm, after all the sacrifices which had been made by his Majesty's subjects, during a series of new and unexampled difficulties; that it appeared that the trade and commerce of the country had been considerably reduced, and that the produce of the taxes had declined; and that while the national resources had been thus impaired, the public grievances had been aggravated by the depreciation of the current coin of the realm, and the substitution of a paper currency, of no value whatever, all of which it was impossible to contemplate without a full conviction, that it would ultimately tend to a national bankruptcy; and, finally, imploring his Royal Highness, for the sake of the prosperity of the country, and the safety of the crown, to appoint such men as were able, by their firmness, wisdom, and prudence, to reform existing abuses, restore the commerce, economize the resources, and support the honour and independence of the nation."

Lord *Milton* rose also to propose an amendment. The one offered to the House by the noble lord alluded to such a variety of topics, that, although he concurred in opinion with the noble lord on most of them, if not on them all, still he did not think prudent for the House thus to decide upon those most important subjects by one vote, without previous discussion, and to rush into the presence of the sovereign with so multifarious a request. As to the motion of his hon. friend opposite, he had heard it with a surprize mixed with regret; it fell short, indeed, of his former address, and short of public expectation. The state of the country was such as to require not palliatives, but strong and efficient measures, and to those alone the House ought to direct their attention. His hon. friend, and the hon. gentleman under the gallery (Mr. Cartwright), had introduced in their speeches a great variety of matter, quite extraneous to the subject, and with which the House was totally unacquainted. He was not sure that this was strictly parliamentary; but he was convinced that the House had nothing to do with negociations said to have taken place, or with the intrigues by which they were said to have been defeated. All this might be proper food for public rumour, but could not be entertained by the House. All for the House to do was, to enquire into whose hands the authority of the state had devolved, and whether or not they were able to wield it with effect. But three weeks ago the then ministers had been, by a vote of the House, declared incapable of governing the state: they had acquiesced in the verdict, by resigning their places the day after; and the House might judge what had been his astonishment, when on entering the House this day he saw the same faces, and found the very same men occupying the very same places from which they had been driven by the recent vote of the House. Among them he saw, too, the right hon. the Chancellor of the Exchequer, whose nomination to that office had been the very ground of his hon. friend's original motion; and he really could not reconcile all those inconsistencies. He had, besides, a particular objection, to have the right hon. gentleman (Mr. Vansittart) at the head of the finances of the country, as he recollected his recorded opinion of the last session on the state of the present currency, that prolific source of so many evils. But why should he look at particulars? He had already mentioned the vote of the 21st of May last; eight years ago those very ministers to whom the reins of the empire were then entrusted, had been declared incapable of holding them, by an unanimous vote of the House; and even Mr. Fox and Mr. Pitt had laid aside their long rivalship, to save their country by uniting to drive them from the places they were totally unable to fill. It was monstrous to see men thus held repeatedly to scorn and ridicule, brave public opinion, and return into power again. How would the representatives of the people reconcile their constituents to the line of conduct which it was proposed to them to adopt? Three weeks ago they had told the country that those men were incompetent to govern, and now they were called upon to vote for a motion which would, in fact, rivet them in their places, for such was the obvious tendency of the Address now proposed by his hon. friend. He could never reconcile such a line of conduct to his principles, and he would, in consequence, before he sat down, propose an amendment more consonant with the interests of the country, and better calculated to enable it to meet the present exigencies of the times. Before, however, he came to that point, he would take the liberty of reproving the personalities in which his hon. friend had indulged; at the same time he gave him full credit for sincerity and candour, he was convinced that he was sincerely desirous of seeing at the head of affairs the best ministers that could be procured under the existing circumstances; yet he would beg of him to look at the state of the country, and to see into whose hands the government had fallen. If his hon. friend had done so before, he was confident, from his impartial view of men and measures, that even for the sake of consistency, he would have submitted to the House a motion far different from the one he had introduced on that night. For his first Address, which the House had adopted, obviously meant that the then ministers, now returned into power, were unfit for their situations. If this first step, which he had himself suggested, was not followed up, the whole country would ring with charges of inconsistency and pusillanimity against the House of Commons. They would be accused of shrinking from their duty, by not daring to approach with the truth that high quarter, which nothing but the truth ought to approach. Under these circumstances, he should feel it necessary to move another Address by way of amendment, that proposed by his hon. friend being in his opinion totally unsuitable to the situation of the country. He concluded by moving an amendment, which was in substance—"That an humble Address be presented to his royal highness the Prince Regent, expressing the regret the House had experienced on seeing that the hope held out by his Royal Highness's most gracious Answer to the Address of the House, had not been realized; assuring his Royal Highness of the determination of the House to support all measures his Royal Highness's government should think necessary to adopt for the interest and security of these realms, but entreating his Royal Highness to lose no time in forming such a strong and efficient Administration as might be calculated to meet the exigencies of the times."

On this Amendment being handed to the Speaker, he informed the noble lord, that as there was then another Amendment before the House, the one he had just proposed could not be then entertained; but if he gave notice of it, it might be put to the vote in another stage of the discussion.

Mr. *Matthew Montague*, adverting to the vote of the House of the 21st of May, on which so much stress had been laid, maintained that on that occasion the House had been taken by surprise. No time had been given to cool the irritation of party feelings. The motion of the hon. gentleman, who had that night proposed the Address, had been introduced after a day's notice only. This had prevented many gentlemen, who would have shared in the discussion, from attending in their places, and had the sense of the House been fairly taken on the subject, he was confident that the result would have been very different. He did not speak from party spirit, he was unacquainted with the members of the Administration except with a gentleman who no longer formed a part of it. But he believed, that ministers were as good and as likely to be efficient in their places as the hon. gentlemen opposite. They were not perhaps quite so good as he could wish—but they had experience in their favour, and this, at least, could not be denied to them. They had raised their country's glory to a pitch altogether unexampled, and their services in general were entitled to the gratitude of the nation. This was not, indeed, the language of the noble lords who had sought to avail themselves of their early habits of intimacy with the Prince, in order to grasp at his power; but had they been acquainted with human nature, or even with history, they would have known that those confidential friends of hereditary princes, who encouraged and supported them in opposition to their sovereign, were uniformly discarded when those princes came into power. He attributed no improper motives, no sinister views to those noble lords, who were styled the Prince's early political friends; but the way the Regent broke those bonds did, in his opinion, the greatest credit to his sentiments. Had he not been able to resist that early influence, he would have shewn himself unworthy of the place he was called upon to fill; he would have shewn himself deficient in that firmness which is the true characteristic of a great king. As members of parliament they were bound to support the Prince in the exercise of his just prerogatives, and give him sufficient time to settle his government. But party spirit, in their eagerness to grasp at power, would not suffer these cool proceeedings. He was not indeed completely satisfied with the present Administration; he especially found fault with their abandonment of the line of conduct which they had hitherto pursued towards the Roman Catholics, and he hoped they might not have bitter reason to repent the change. But because he did not totally approve of them, it did not follow that he felt himself authorised to interfere with the prerogative of the executive government. He would, in consequence, support the present ministers, in their general measures, when not contrary to his fixed principles; and this he would do, not from any private views, but from opposition to party spirit.

Mr. *George Vansittart* was not in the habit of taking up much of the time of the House. He would simply put to the recollection of the hon members, that in the year 1784, his Majesty had been driven by the violence of party spirit into nearly the same situation in which the hon. gentlemen opposite seemed to wish to place the Prince Regent. The consequence was, that his Majesty dissolved the parliament, and confidently appealed to his people. The returns of the ensuing elections proved that appeal had not been made in vain, and addresses poured from all quarters, manifesting the firm resolution of maintaining the crown in the exercise of its just and undoubted prerogative, that of appointing its ministers. [Here the hon. gentleman read one of those addresses from the county of Bucks.] He approved of the constitutional principle, that the House of Commons were bound in duty to represent to the King the misconduct of any minister, and to ask for his removal; but if they went one step further, if they attempted to dictate to the crown the choice of its servants, this best of governments would soon be changed from a limited and tempered monarchy, to a turbulent democracy. On those principles he would support ministers as long as they should deserve support by their conduct.

Sir *Thomas Turton* observed, that although the negociations about the formation of a ministry were not exactly before the House, yet they were so well known, that any gentleman alluding to them might claim some indulgence; and after what they had seen in the course of the last three weeks, the House ought to be careful how they unsettled the government of the country again. After having animadverted on the conduct of the opposition, he begged of the House to consider in what situation the Prince would be placed, should the amendment proposed by the noble lord be adopted. His Royal Highness would be, in fact, compelled to surrender the power of the throne and the prerogative of the crown at the mercy of an oligarchy. He did not pretend to say, that it was improper that ministers should have the nomination of the officers of the household; but this was nothing in comparison with the essential rights the Prince would be forced to surrender, should the amendment of the noble lord be adopted. The Regent would be put completely at the mercy of two noble lords, without any stipulations whatever. He was sure that the noble lords alluded to, and their friends, would use that paramount influence for what they conceived to be the good of the country; still he could not consent to degrade so far the executive government. He admitted, that the House had an undoubted right to remonstrate against the appointment of an obnoxious minister, and, in other circumstances, he would not, perhaps, object to a motion of that description, but seeing the strong influence of party spirit exerted against the undoubted prerogative of the crown, he could not possibly think of entertaining such a motion at present. Adverting to the conduct of the marquis Wellesley, he expressed his approbation of it, and reprobated those personal animosities or objections to act with him, which had deprived the country of his services. The salvation of the country was at stake. The present ministers had conducted the nation to the brink of ruin. Little hope could now be indulged of the repeal of the Orders in Council, and if something were not attempted to alleviate the general distress, every species of disorganization, short of actual insurrection, was to be apprehended. Nevertheless, considering the proposed interference with the executive authority as highly unconstitutional, he should oppose both the original motion and the amendments.

Mr. *D. Giddy* observed, that when the Address was voted, he was one of those who concurred in opinion with the member for Yorkshire, and on the present occasion, when there was most assuredly a great sensation excited in the country in consequence of that vote, it became the House to exercise the transcendent power with which they were invested with discretion. He had heard from some gentlemen that there were extreme cases when it was necessary to interpose between the crown and the government, and by a vote of parliament prevent the government of the country from being placed in the hands wholly of the crown. There could not, however, be a more inconvenient mode of proceeding than in following up an extreme case of the kind alluded to, by putting a negative on the prerogative of the crown. It had been said, that this House had come to a vote upon the necessity of forming an efficient administration upon an extended scale. Undoubtedly they had done so, but under what circumstances? a notice of the motion had been only given the preceding day. At that time an opinion was entertained, that the delay of a few minutes in coming to the vote, would have given a majority against the motion. If gentlemen adverted to what passed on the same evening shortly after the division, they must be satisfied that such would have been the fact. If however, extreme cases were to be entertained, the very dictation to the head of the executive was in effect, taking the whole of the government into the hands of parliament. But the House would recollect, that though one branch of the legislature had expressed an opinion upon the subject, the other branch had not expressed any opinion at all; they had not stated their disapprobation of the ministry.—Was that House then to adopt the language of controul? A noble lord had put the question on a much better ground for discussion than the mover of the Address. He deprecated the conduct which brought before the public the proceedings in the negociations for forming an extended administration, as highly inexpedient and on other occasions as tending to embarrass the government. Nor was he aware how those proceedings could have been published without infringing the oath which some of the parties had taken, as privy counsellors, which oath of course precluded them from divulging any thing which passed in the council. It was true, that the letters which had been published were not actually proceedings of the council, but they were the foundation of proceedings in the council. The simple question now under consideration was, whether the present ministers could be safely trusted to manage the affairs of the state? And in deciding upon that question, the noble lord had contended, that a vote of this House had driven them from office in 1803,' and therefore that they were not competent to manage the resources of the country, to carry on the war, and wield the energies of the state in this moment of peril and of difficulty. He allowed to the noble lord, that the country was in a deteriorated state; but how much better was its condition than that of other countries, which since the time alluded to, had been wrested from the domination of the lawful sovereigns. England had, under the administration decried by the noble lord, defended the cause of the peninsula with credit to herself; and if it was proper to defend that cause, of necessity great expences must have been incurred, for great exertions were called for. He would not vote either for the Address of the hon. gentleman, or for the Amendments of the two noble lords; thinking the interference of parliament incompatible with the principles upon which he had generally acted. At the same time, he did not mean to say, that he would oppose any Address which contained expressions that to him appeared unobjectionable. He expressed his entire confidence of the character of lord Moira, as a man of the strictest integrity and most unblemished reputation.

Mr. *Tighe* entered his protest against the doctrine of an hon. baronet (sir T. Turton), that an unrestricted influence granted to ministers would lead the country into an oligarchy. On the contrary, he insisted, that if lord Moira's propositions had been acceded to, and if lords Grey and Grenville had accepted office without demanding the removal of the great officers of the houshold, the government of Great Britain would indeed have been consigned to a desperate and noxious oligarchy. It had been said, and truly, that the constitution knew nothing of secret influence—but, unfortunately, recent experience had shewn, that it prevailed in the highest quarter to a most dangerous extent, thwarting and over-ruling measures calculated for the benefit of the state. The same influence had been secretly at work during the greater part of the reign of his Majesty; it had precipitated the nation into the American war; it had drawn down upon our heads calamities which might have been easily averted, and had now reduced us to the verge of bankruptcy. Perhaps at this moment it was more than usually active, and was supported with more than usual solicitude; it formed the cabinet of the Prince, who ruled the cabinet of the state, over which no power had controul: when the parliament had destroyed the cabinet of the state, the sovereign might retreat to his own secret cabinet, and there, as in a citadel, hold out against his besieging subjects. Should parliament sanction such a principle, the constitution would receive a wound that would soon prove fatal to its existence. Allowing that it belonged to the crown to appoint its own servants, did it not follow as a matter of course that those ministers should be adequate to their duties? And if such men were not selected, would it be denied that it was the duty of the House to interpose, to take care 'ne quid respublica detrimenti caperet?' What was the present government, if indeed that might be so called which had not the ability to rule? The last administration was composed out of the relics and dregs of the government of Mr. Pitt, which, when voted incapable, wisely relinquished office. Secret influence restored them, and Mr. Perceval was placed at their head: after his death the House of Commons again declared them incapable, they again prudently resigned, and again had secret influence restored them. What confidence was the country to repose in these relics of relics, these dregs of dregs, this rump of the rump of an administration? An hon. gentleman under the gallery (Mr. Montague) had expressed, with reluctance, his regret, that the influence of government was no longer to be employed against the Roman Catholics. Doubtless, the loss of the able support and disinterested vote of the hon. member would be sincerely regretted by ministers in their present state of infirmity; but what did the statement of the noble lord on which this dissent was founded, amount to? To nothing less than a confession, that if the influence of government were employed, they could effectually resist any motion, even one which interested four millions of subjects, and which was supported by the general voice of all reasoning beings. Such an assertion was the greatest insult that could be offered to the nation, although the noble lord had made it with a tone and air of condescension, as if it had been a matter of favour and kindness. Recollecting the nature of the motion which the hon. gentleman had before submitted to and carried in the House, on the 21st of May, and recollecting the effect, or rather the no-effect, that had been produced by it, he was not a little surprised that he should this day come forward to throw cold water upon the Address he had previously suggested; because, surely, if the interference of parliament were before required, it was now doubly necessary, since the country had witnessed the ill disposition to succeed with which the negociations had been authorised. We were now reduced to such a condition, that the most desperate and dreadful events might be expected, if the House did not, in a firm and becoming tone, address the individual exercising the sovereign authority: for his own part, he was convinced, that the Prince Regent would do much better for the country if he were to appoint one man dictator without controul, than to patch up an administration of shreds and pieces, scarcely worth the picking up, from one party and from another, which might with greater ease be torn asunder and destroyed than it was fastened together. The sovereign was not reduced to this miserable extremity from a deficiency of persons of talent and honour fit to guide the helm of state, even in these tempestuous seas: such men were ready and willing to afford their assistance; but the baneful secret influence of which, not only he, but the whole nation complained, interposed itself between the country and its salvation.

Mr. *Johnstone* began by asserting, that the history of the country, from the Revolution to the end of the reign of George the second, proved decisively, that an alteration of the houshold establishment had never taken place with a change of ministry. Latterly in the present reign the practice had been changed. With respect to secret influence, on which the last speaker had dwelt so much, he thought that, even among the most vulgar, the idea had long been exploded, and that the cry had been found to originate in the voices of those, who, having been turned out of office, complained that it was not accomplished by the mere volition of the sovereign. It had been maintained, that lord Bute for many years exercised this secret influence, but the fact was now fully contradicted. And did Mr. Pitt and lord Grenville when in power feel its effect? It was an empty cry, at all times destitute of foundation. He held in his hand a list of the household of the kings of England from the Restoration to the present time, to which, with the permission of the House, he would refer, and it would plainly appear, that the statement with which he set out was corroborated. The duke of Ormond was lord steward from 1660 to the Revolution, and from that time till 1707, it was held by the duke of Devonshire. The duke of Grafton occupied the office of lord chamberlain from 1724 to 1747, and for the same period no change had been made in the department of the lord steward. The same master of the horse continued during the whole reign of William 3. In the present King's reign, lord Talbot was lord steward from 1761 to 1781, and the duke of Montague was master of the horse from 1781 to 1790. During all these periods many changes of ministers had taken place, and party animosities ran remarkably high. He admitted that during the reign of George 3, the alterations had been more frequent, but it arose from a natural delicacy which induced the high officers of the houshold, from attachment to their parties, to resign their situations on a change of ministers.

With respect to the influence of the King in the cabinet, gentlemen seemed to have forgotten, that when lord North was compelled to retire in 1782, so much attention was paid to the feelings of the sovereign, that he was permitted to nominate lord Thurlow as a member of the cabinet, while the Shelburne and Rockingham parties introduced five members each. In the present instance, however, common decency seemed to require that the removal of the houshold should not be insisted upon. It was impossible for the House not to have heard more than insinuations of influence exercised over the Prince Regent from another quarter, which, if it had existed, would indeed have reflected disgrace upon his Royal Highness. Although no man of common sense countenanced such unfounded and malignant calumnies, yet they were sedulously employed—greedily caught at for party purposes; and it would have been giving an undue countenance to these reports, if the principal officers of the houshold had been driven from their situations. He was sorry to find, that he had been deceived in the characters of lords Grey and Grenville; he had given them credit (however mistaken their views) at least for patriotism. Recent transactions had dispelled this pleasing illusion, for it now appeared, that notwithstanding they strenuously insisted that their measures, and their's only, could preserve the nation from destruction, yet because they could not have all the offices of the houshold, as well as all the offices of the state, they refused to effect the salvation of their country. He conceived the inference to be incontrovertible, that they had forfeited all claim to the title of disinterested patriots: they contended, that concession to the Catholics was required to preserve the integrity, and perhaps the existence of the empire; they knew, that by accepting office they could grant that concession, and yet they refused to place themselves in situations in which they might be able so materially to benefit their country. He should have imagined that it was their bounden duty to have accepted the proposal made to them, even with all the mighty disadvantages, and the great obloquy to which they would have been subjected by the continuance of the houshold in its present state. The greatest evil that could have befallen them from the secret influence they seemed to apprehend, would have been the loss of office, which their duty to their country called upon them to accept at any risk; and, if their measures possessed that importance which was attached to them, in retiring from office they would have retired with the confidence and the regret of the country. A noble lord (Milton) had said, that any arrangement would have been preferable to that now adopted. If the noble lord could point out any practicable mode of forming a more efficient administration, even though lord Moira should be prime minister, and the member for Bedford (Mr. Whitbread) should be Chancellor of the Exchequer, he would give it his assistance, because, in the present times, he deemed it his duty to support any government. The representatives of large commercial bodies must and would support government. The only persons who could carry on the government without a coalition, were the gentlemen opposite. Should they therefore be forced upon the crown? He was disposed to support ministers, because he could see at present no better course. The talents and integrity of lord Sidmouth were such, that both sides courted his support. That noble lord was not ready (to use a vulgar expression) to go through thick and thin. He had quarrelled with Mr. Pitt, by refusing to sanction the additional grant to the duke of Athol. With respect to his retiring from office, at a time when he was in full possession of the confidence of his sovereign, and had also a majority in parliament, he had been told by his relative, the late sir W. Pulteney, that lord Sidmouth had said, if Mr. Pitt and Mr. Fox should be closely linked together, by their opposition to government, he saw the King would be unable to preserve the rights of the crown: he therefore chose to retire at an early stage, that Mr. Pitt might form an exclusive administration. It was universally admitted, that the finance had been managed with great ability and success under that government, and as to its leading members having been, as stated, twice convicted of incapacity, the fact was, that they acted with great modesty in both instances, and went out, which it was impossible for them to avoid. Mr. Fox and lord Grenville were then tried, and what was this but an experiment, and how had that experiment succeeded? Would their warmest friends venture to say, that their character as statesmen stood as high on leaving office as when they entered on it? He would refer the House to their expedition to the Dardanelles, to their continental policy, to the rapidity with which they went to war for Hanover. He felt in himself in no degree any thing like party-spirit, and had endeavoured on all occasions to square his political conduct by public opinion. He confessed he could see but small foundation for better hopes in any change of ministers, although he never had been very friendly to the principle of our Orders in Council, which he thought interfered too much with the necessary freedom of trade, and sincerely wished that a more conciliatory policy should be adopted towards America.

Mr. *Grattan* observed, that he merely wished to express the opinion he entertained of the conduct which had been observed by the noble lords (Grey and Grenville), whose names had been so often introduced into the discussion. Men of independent principles alone, and of very conspicuous political talents, ought to form the administration of the country, but it might very frequently fall to their lot to restrain their desire of holding office, unless they could do so with advantage to the country. Those noble lords had a part to perform which required the utmost consideration—for they had to evince their readiness to make every exertion for the service of the country, and to balance the acquisition of power against the abandonment of principle. The refusal of office was a crime which few were guilty of—it was not to be frequently found in the annals of the country. But it should be recollected, that, when gentlemen accepted of office, they did so with a view to serve the country as well as to exalt their own reputation; and to enable them to do this, it must be rendered evident, that they had the confidence of the sovereign—for if they were to be controuled in the administration, it would be better that they should not accept of it. A minister was he, who was possessed of the confidence of the sovereign and of the parliament; but if he was excluded from the one or the other, he was no longer such a minister as was recognized by the constitution. If the two noble lords in question were of opinion, that the appointment of the household was necessary to the strength of the government—if they thought that the existence of two cabinets, the one responsible, and the other not responsible, was not consistent with the well-being of the state, then had they acted wisely, honourably, and disinterestedly, in not taking power without the confidence necessary to enforce it. He did not now enquire whether the objections or opinions of the noble lords were well-founded, but he maintained this, that if they conceived an undue influence to exist, they had acted rightly in declining office. He lamented most sincerely that such had been the result of the late negociations, from a conviction of the great talents and integrity of those noble lords, and of the good consequences which were likely to result from their acceptance of office, but he could not condemn a resolution founded upon principle. Whatever might be the opinions entertained upon the topics which were treated as the basis of the negociations, he thought that if there remained a possibility of concord, it were better that those differences should not be animadverted on. It appeared to him that all the noble persons engaged in the negociation, lords Grey, Grenville, Wellesley, and Moira, had acted most honourable, frank, and candid parts, and had shewn the utmost disinterestedness. With regard to a noble lord (Sidmouth), who he understood would fill an important office in the state, he believed him to be a very honest and conscientious man, but he must also remember that that nobleman professed himself a decided enemy to the claims of his Majesty's Roman Catholic subjects, and therefore he was not a character very likely to conciliate the people, or long retain the confidence of the sovereign. He was happy now, however, that the noble lord would not in future oppose those claims in his capacity of minister, as he did before he was compelled to relinquish his situation; but considering that the noble lord still stood pledged to oppose the emancipation of the Catholics in his individual capacity, and that he was now coming into a great office, it was for the House to consider, after the vote to which it had agreed, how far the noble lord was likely to conciliate the minds of all classes of people in the United Kingdom. From perusing the correspondence said to have lately passed, upon the subject of forming an efficient administration, he felt perfectly satisfied with the sentiments avowed by lords Grenville and Grey, while they declined accepting a part of a government in which they must act with some of the present ministers, and he felt persuaded that the public opinion went along with him. Had those noble lords acted otherwise, and accepted the offers which were made them, he should deem them as public men who had deserted the political principles which they professed through their former lives, and deserving of the most severe reprehension of that House and of the whole country.

Mr. *Elliott* said, that it was his intention to occupy but a very short portion of the time of the House, because the question before them lay within a very small compass; and, indeed, he did not know that he should have trespassed upon their attention at all, if he could have prevailed on himself to have given a silent vote on a subject of such magnitude and importance. To begin with the constitutional part of the question—he held it to be the clear and undoubted doctrine of the constitution, that in parliament was vested the deliberative functions of the state, and in the crown the negative on the decisions of parliament; and that to the crown was allotted the appointment to the primary and subordinate offices of the state, but to the House a controuling negative, until the government should be placed in such hands as deserved their confidence, and that of the country.—This he took to be the constitutional doctrine, and this controuling power, so vested, the soul and spirit of the constitution. Having said so much upon the general question, he next came to the consideration of the immediate subject before the House. A vote had been passed in the House on a late occasion, that an Address should be presented to the Prince Regent, stating it as the sense of parliament, that the difficulties of the country required the formation of a strong and efficient government, thereby implying, that those persons who then constituted the government did not answer that description.—The noble lord and the right hon. gentlemen themselves had acknowledged this to be the intention of the House, by tendering their resignations and stating, that they held office only during the interim employed in procuring abler successors; and the Prince Regent had been pleased to say, in answer to the Address, that he would take its purport into his immediate consideration. Three weeks elapsed from that period in various and fruitless negociations; without any decisive step being taken, until at last one of the incompetent ministers came down to the House and informed them that fresh breath had been infused into the nostrils of the expiring cabinet. It was for the House to take care that the revival of that abdicated administration should not be the evidence of the extinction of the character and authority of the House. Of the negociations and communications which had taken place, he knew nothing—but this he knew, that a vote had passed that House denouncing the ministers as incapable and inefficient, and that those same ministers, those denounced and rejected ministers, were returned upon them again in all the plenitude and authority of office, claiming that confidence of which they had so recently been pronounced unworthy. He should offer but a few words on the negociations which were said to have taken place, and should pass over altogether, that which had passed between lord Wellesley, and lords Grey and Grenville, which appeared to him to be a sort of partition treaty, into which those noble lords could not enter but under circumstances of distrust and suspicion. With respect to the negociation between lord Moira, and the noble lords, the noble earl had stated, that his authority was unlimited with regard to the principles which were to form the basis of the negociation, but it seemed, notwithstanding, that when his noble friends asked whether the usual power with regard to certain offices were to be entrusted to the persons holding the principal share in the government, the noble earl expressed his dissent from entering into that subject as a preliminary arrangement. He would ask then, whether his noble friends would not have sacrificed their own authority, and that of the government, if they had consented to come into power on such conditions? The offices to which he adverted were the household offices; and he maintained that if his noble friends had acceded to the conditions proposed to them, they would have sacrificed that legitimate influence which, as ministers, it was their duty to retain and exercise, divested themselves of their constitutional authority over the department of the household, and have recognized and sanctioned the principle of dividing the powers of government, and of setting those powers against each other (hear, hear!). He well recollected, that in the course of the discussions on the question of the Regency, enough was said of the importance of the household, and the necessity of securing to the government the influence of that department. If it was thus mighty in the support of government, must it not be equally formidable when arrayed against it; and, in conjunction with another household, waging war against the responsible advisers of the crown? It should be remembered too, that when the minute of what had occurred between those noble lords on that occasion was laid before the illustrious personage at the head of the government, it was in the possession of that quarter, which could have removed the obstacle that opposed the formation of the administration. His noble friends were then reduced to the alternative of abandoning their principles, and conceding the household, or of declining power on the refusal of that preliminary. What was the result? They found that the household was retained, and those measures abandoned which formed the basis of the negociation with his noble friends. These measures were, conciliation to the Catholics, and the abandonment of the Orders in Council; but the same ministers were again appointed, and the consequence was, the abandonment of the one measure, and the compromise of the other. The question of the Catholic Claims was now, it seemed, to be turned adrift to every blast of opinion or of prejudice, and that by those very men who, only two months ago, had declared that it was the universal opinion of the cabinet, that the question could not be entertained under the present conduct and temper of the Catholics.—This new concession came from those very ministers who had come into power as the guardians of the Church, resting their claims to confidence upon the cry of "No Popery," which they had rung through the country, and on their determination to protect the state against the peril of allowing Catholic colonels to become generals; those very men now proclaimed their intention of opposing to the Catholic claims no longer the influence and authority of government. What must be the feelings at this transition of their partizans, the friends and champions of the Church? What said the right hon. the Judge of the Prerogative Court to this sudden change of policy? What was the impression which it made on the minds of the right hon. the Judge of the Admiralty Court, the member for Oxford, and his hon. colleague? Such were the circumstances under which these ministers, after drinking to the dregs the cup of political humiliation, now came forward, in defiance and contempt of that sentence of condemnation which had been passed upon them, as men the most fit and the most competent that could be found to conduct the country through its difficulties, and meet the awful exigencies of the present time. He would trouble the House no farther than to remind them that they stood before a solemn tribunal, that they were called on to discharge a solemn duty, and that in resisting the defeat and frustration of their former vote, they were exercising an authority which emanated from the people, on whose behalf alone, therefore, it could be justly exercised.

Mr. *Bathurst* defended the government, which was the same, he contended, that had already experienced the confidence of the country. The question was, whether the present ministry was to have the support of parliament, or whether other persons were to be appointed? And the right hon. gentleman who spoke last, appeared to press the latter alternative as the only one which could be adopted by the House. The House, it was true, had come to a vote (he should not stop to enquire under what peculiar circumstances,) that an Address should be presented to the Regent, for a broad and extended administration; but having once come to that vote, were they never to be satisfied until a different administration was formed, but to go on addressing the executive power until such an administration as they wished was appointed? He was afraid, however, that it was impossible to put out of sight all that had passed (though it was not regularly before them) in the negociations which had recently taken place; and upon that ground it appeared to him, that the motion of the honourable gentleman, and the amendment of the noble lord, unjustly cast the imputation that sufficient exertions had not been made. As for the noble lords who had been engaged in the recent negociation, if they had a feeling that any secret influence existed, they had acted as became them in declining office, and he was far from casting any imputation upon them; but he did not understand that the negociations turned upon the question of the household, as had been stated by the right honourable gentleman (Mr. Elliott,) but that it was to be left as a matter of discretion and subsequent consideration. He had understood that all the high offices of the household were to be considered as vacant, and that no feeling of a private nature was to have any weight in their disposal.—Such was the nature of the proposed arrangement as he understood it, and it did appear to him that if those high offices were to be removed at once, it would put the sovereign in a state of degradation of the most humiliating nature, and the noble earl (Moira) felt it so, and acted accordingly. The question then was, whether by pressing forward thus, they could procure what they wanted? It was idle to talk of public talents being public property to be pressed into the service of the state, for no power existed to oblige any individual to accept of office, nor was it possible to form a broad and extended administration, without considering the public principles and feelings of the several individuals who were intended to compose it. Adverting to the attack made by a noble lord on the character and measures of the administration of lord Sidmouth, he contended that they had neither been driven out nor left in a minority, but had yielded to the pressure of circumstances. With respect to the conduct observed by Mr. Pitt and Mr. Fox on that occasion, he had only to observe, that it was no imputation against that administration that it could not stand against their influence. He wished to God that those illustrious characters were now living to exercise their great talents for the benefit of the country. He meant no disparagement to any hon. gentleman, when he said that there were no such men now; but they must look to those materials which they had, and decide between the present ministers and those whom it was proposed to supplant them with. With respect to the determination on the part of government to leave the Catholic Question open, he asked whether it had not been held out as the pride and praise of lord Grenville, when at the head of the government, that he had carried the abolition of the Slave Trade by making it a government question which Mr. Pitt had constantly refused to do? and, he argued from that, that there must be a legitimate influence vested in the government, which was made requisite by the nature of things.—If, then, it was supposed, that the influence of government would defeat the Catholic Claims, could there be any harm to try the question without it? Then it was said, that there was inconsistency in this line of policy, for that ministers had said some months ago, that the question should not be agitated at all. Was there then to be no change?—He was not now stating his own individual opinion, for he saw no practical view on which the question could be conceded, but he only spoke in justification of those who thought the Catholic Claims might be granted under certain limitations and restrictions, which might make it wholesome to grant them. It was then fit and proper to know what those limitations and restrictions were, in order to satisfy those who could not see them.—There was, therefore, no inconsistency nor dereliction of principle in those persons who had been placed by their sovereign in the administration of the government. He had offered thus much, in order to remove, as far as he could, the great impression made by the speech of the right hon. gentleman who had preceded him, on those who only saw their own mode of conducting this question in a favourable point of view. To revert to the question immediately before the House, he could discover no mode of proceeding left, but either to go on addressing the Regent, and telling him, "We do not care what has been done, or who is in fault;" or to rest satisfied with the steps which had been taken.

Unless the House saw a probability of forcing the attainment of what it appeared to wish, they would only be drawing themselves from one dilemma into another, to their own great inconvenience, and highly to the detriment of the public service.

Lord *Yarmouth* said, that with respect to the negociation, he knew nothing further of it than was conveyed in the statement made by the noble lord who had so large a share in it; but with respect to the household he must observe, that it was the intention of himself and his friends to resign the situations which they at present held, previous to the new administration entering upon office. This intention of theirs was well known; they took every means of stating it in quarters from whence it had any likelihood of reaching the ears of the parties interested; and in particular they communicated it to a right honourable gentleman who took an active part in the negociation, and with whom all who knew him confessed it was a happiness to spend their private hours. In short, they took every means short of official resignation, to shew that they never wished to have any connection with them. And their intention originated in a wish to save the Prince Regent from that humiliation which he must have experienced from their being turned out of office—a humiliation which could only serve to convey an unfavourable impression throughout the country against the government. He did not speak in the name of one or two, but of all the officers of the houshold. They stated expressly to his Royal Highness, that they wished to resign, and not to be turned out; and all that they requested was, that they might know, ten minutes before certain gentlemen received the seals, that such a circumstance was to take place, that they might have it in their power to make a timely resignation. He declared on his conscience, before God, that their intentions were such as he had stated, and that the only principle by which they were actuated was to save the Prince from humiliation; for he could not but consider the attempt to make this change in the household a preliminary to entering upon the negociation, as calculated to humiliate his Royal Highness in the eyes of the country.

Mr. *Ponsonby* felt it necessary to apologise to the House for the length of time he should occupy in addressing them upon the present occasion. And, first, with regard to what had fallen from the noble lord who spoke last, he affirmed, that he heard it now from his lips, for the first time in his life. Who the right hon. gentleman was who had a large share in the negociation, and whom it was so great a happiness to pass private hours with, he knew not; but he could state with certainty, that nothing of the import of what had just fallen from the noble lord had been ever stated to himself or to my lords Grey or Grenville: they never entertained the most remote idea that such an intention as that intimated by the noble lord had ever been entertained. He must say, also, that no conjecture was ever more unfounded, than that of the noble lord, that the making the removal of himself and his friends from their situations a preliminary step to all discussion, was for the unbecoming purpose of humiliating that person who, above all others, ought to be honoured and respected. Who the right hon. gentleman alluded to by the noble lord, was, he knew not; but this he knew, that no such circumstance as that now mentioned, was ever communicated by any right hon. gentleman in the course of the negociation in which he bore a part. He was sure, that if any such circumstance had been communicated to any of his noble friends, they would not have forbore to make him acquainted with it. He believed most of the right hon. gentlemen with whom he was connected were at present in the House, and if he did not speak correctly, he begged he might be contradicted. There was some part of the noble lord's declaration which it would be inconvenient to advert to at this time, and which he should afterwards examine; he meant the principle, that the responsible advisers of the crown ought to have no controul over the houshold. He intended at present to confine himself to a statement of the circumstances which gave rise to and attended the late negociation for a change in administration. On the 21st of last month, the House, as was well known, came to a vote to request his royal highness the Prince Regent to appoint a strong and efficient administration. He appealed to the hon. gentleman opposite who made that motion. He would ask him on his honour, and no man in this House, or in the country, bore a character of more unsullied honour—he would ask him if there was any communication to him (Mr. Ponsonby) of his intended motion till the communication was made to the House? (Here Mr. Wortley signified that he had had no previous communication with Mr. Ponsonby.) This Address then did not proceeed from his side of the House; and he would say farther, it was not laboriously patronized by his side of the House. Only two members on his side spoke on that occasion, and he himself did not utter one word, thinking that he was the most unfit person in the world to deliver his sentiments on the subject. Had he spoken, the observation of the right hon. gentleman (Mr. Bathurst) might then have been applied to him, that he wished to turn others out for the sake of getting himself in. That right hon. gentleman was wrong also, when he said, that two thirds of the majority on that night were of his side of the House. For his part, he thought he might safely say, that never was any great question discussed in that House, when so many of the members of the opposition were absent; and it was easy to account for their absence from the circumstance of the notice having been given only one day previous to the motion, and there being therefore no means of communicating it in time. The right hon. gentleman had said, in order to come to a right understanding of the subject, the House should be informed of the negociations which had taken place. Now he begged to say, for himself and his noble friends, that they wished to have no secret or reserve with respect to the share which they had in these transactions. The more these proceedings were known the more would they be gratified, and he thought he might add, the more would their conduct be approved of by the country. When the Address was moved, a wish was expressed by many members of that House, that a coalition of public men should take place for the purpose of procuring a strong and efficient Administration. This was the opinion of the House, and it was the wish of his noble friends and himself to carry the vote of the House into effect, as far as depended on them. It never was their wish to decline acting with any persons who coincided with them in entertaining such principles as they conceived necessary for the safety and welfare of the country. With all such persons they were desirous to unite; and in the first outset of the business, when the negociation was in the hands of lord Wellesley, his noble friends disclaimed all feelings of personality or aversion to unite with all those by whose assistance the government might be rendered more efficient. The public had a right to enquire into the conduct of public men; at all events, public men had to justify their own character to the public. He therefore hoped the House would bear with him longer than usual on this occasion, while he detailed to them those events that had recently taken place, and shewed how matters really stood. The first communication was made by lord Wellesley, at lord Grey's house, to lords Grey and Grenville, on the 23d of last month. Lord Wellesley stated, that he had received a commission from his royal highness the Prince Regent, to lay before him the plan of such an administration as he should deem best adapted to the exigencies of the country—that he wished to apprize his Royal Highness of the views of all parties previous to executing the commission, that the instructions of his Royal Highness went no further, and he wished to know if there was any objection on the part of his friends to two principles—the 1st was, that the claims of the Catholics should be taken into consideration with a view to a conciliatory adjustment of them; and, 2dly, that the war in the peninsula should be conducted on a scale of greater vigour than had hitherto been done. His lordship stated also, that Mr. Canning had made a similar communication to lord Liverpool. This was the commencement of the proceedings; and the House would observe, that lord Wellesley disclaimed having any authority to form an administration, but confined himself merely to learning what were the views of the parties. On the 24th of May, without cavilling at lord Wellesley's want of authority, lords Grey and Grenville returned an answer expressing their willingness to give effect to the vote of the House of Commons—and as to the two points selected by lord Wellesley, stating that their opinion on the first was well known, and on the second, that no persons felt more strongly than they did the advantages which would result from a successful termination of the war in the peninsula; but that the mode of carrying on the war was a matter of policy which depended on many circumstances of a fluctuating nature, and which could be judged of only to men who had access to the official documents. In the present state of the finances of the country, however, they stated they could not conceal from lord Wellesley, that they entertained great doubts of the practicability of increasing the public expenditure. These were the first steps. Lord Wellesley had said that Mr. Canning communicated to lord Liverpool nearly the same as what had been stated to lords Grey and Grenville; and his lordship was pleased to send a copy of the Minute of this communication to his noble friends. On perusing that Minute they, however, perceived a considerable difference between it and the communication to themselves. It would be a waste of time to state what the difference was; the communication between them and lord Wellesley on the subject of it was attended with the happiest effect. The next paper of any importance necessary to be mentioned to the House—he was speaking in the presence of a right hon. gentleman who would correct him if he was wrong—was a minute of a communication made by lord Wellesley to lord Grey at his house, on the first of June. It was to be remarked, that all this time no advances had been made towards the formation of a ministry, and that no authority had been given for that purpose. Lord Wellesley in this Minute declared, that he had received full authority from the Prince Regent for the formation of an administration—that his Royal Highness had no wish to exclude any person who agreed in the principles formerly stated by him, which were intended to form the basis of the administration—that lord Wellesley himself was to be first commissioner of the Treasury, and Mr. Canning and lords Moira and Erskine were to form a part of the cabinet; that if the cabinet consisted of 12 persons, lords Grey and Grenville should nominate 4, if of 13, 5 members of it. To that proposal, the first which had been made from authority, the noble lords, his friends, were not long in coming to a conclusion, and returned an answer on the day after to the following purport:

"*Camelford House.*

"My lord; we have received your communication, and are desirous of renewing the negociation. We are anxious to give permanent effect to the Resolution of the House of Commons, and no personal feeling shall prevent us accepting situations, where we might hope to serve his Royal Highness usefully and honourably. The proposition that has been made does not justify our acceptance of the offer: we are invited, not to discuss questions of great policy in the usual way, but we are recommended to introduce a limited number of persons to be included in the cabinet, of which an outline has been already made. We will not enter into an examination of relative opinion; to the principle of union and jealousy we object, and to the supposed balance of authority, in a cabinet so measured out by preliminary stipulation. We are convinced that it is necessary to possess the confidence of the crown, and the assurance of its support in all the healing measures which the country requires; no hope of such a possession is presented to us by this project for the formation of a ministry on an apparently new principle. We therefore request to decline all participation in a government to be constituted on principles that can only be productive of weakness in the administration of the public interests. We are, &c. GREY,
GRENVILLE."

This reply contained so complete an answer, that it became unnecessary for him to add any thing on the subject. The proposition was unlike every thing which had ever taken place on similar changes; it left no power to the parties to arrange the cabinet among themselves; it took for granted that there must be opposition among them. This was totally unlike the union which ought to prevail in a cabinet in these times. The first and vital principle of a cabinet, indeed, in any times, was the mutual confidence of its members, and the total absence of every thing like jealousy among them—an identity of interest and principle necessary to the carrying of any measure into effect. This answer having been delivered to lord Wellesley, nothing farther passed under the authority of the Prince Regent; but a noble earl, whom he should ever be proud to call his friend, on the 3d of June addressed a letter to lord Grey to the following effect:

"Your and lord Grenville's answer to the communications that you received, seems to throw an oblique imputation on me. When I consider the principles contained in the proposal, I find it difficult to apprehend what is meant by a counteraction of interest. With respect to the number of persons to be introduced to the cabinet, it was adopted with a perfect regard to fairness. Mr. Canning was named as one of the members, because lord Wellesley would not accept office without him. In the spirit of fairness the proposition cannot go farther. I deeply lament that arrangements calculated to be so highly useful to the country, should go off on such points. (Signed) MOIRA."

This letter of lord Moira's was written in the spirit of frankness and candour; but it was totally unauthorised. It was answered by lord Grey in the following terms:

"Nothing can be more remote from the intentions of lord Grenville and myself, than to cast any imputation upon you. Whatever our objections to the proposal may be, we feel that they have no reference to any part of your conduct. We could not, on grounds consistent with our own honour, assent to the propositions, and as we feel the highest personal kindness for you, nothing could be more painful than to enter into any controversial discussion. (Signed) GREY."

On the 4th of June lord Grey received a letter from lord Wellesley approving of the explanation lord Moira had given of his motives, but stating that he was not aware that lord Moira was authorised to make any communication to his noble friends, and expressing his belief that neither of them had received any authority to renew the correspondence, a circumstance which he deeply lamented. After some further proceedings, under authority of the Prince Regent, a conversation took place on the 6th of June, between lord Moira and his noble friends, at which lord Erskine was present. A minute of the conversation was taken, which was afterwards read to the noble lords, who declared it to be correct. It was as follows:

"*St. James's Place, June* 6, 1812.

"Lord Moira stated to lord Grey and lord Grenville that he was authorised by the Prince Regent to consult with them on the formation of a new government; and satisfactory explanations having taken place between them, respecting such measures as appeared to be of the greatest urgency at the present moment, more especially with reference to the situation of his Majesty's Roman Catholic subjects, and the differences now unhappily subsisting with America, and that lord Moira had received this commission without any restriction or limitation whatever being laid by the Prince on their considering any points which they judged useful for his service, they expressed their satisfaction with the fairness of this proposal, and their readiness to enter into such discussions as must precede the details of any new arrangement. As a preliminary question, which appeared to them of great importance, and which they thought it necessary immediately to bring forward, to prevent the inconvenience and embarrassment of the farther delay which might be produced, if this negociation should break off in a more advanced state, they asked, whether this full liberty extended to the consideration of new appointments to those great offices of the household which have been usually included in the political arrangements made in a change of administration? intimating their opinion, that it would be necessary to act on the same principle on the present occasion. Lord Moira answered, that the Prince had laid no restriction upon him in that respect, and had never pointed, in the most distant manner, at the protection of those officers from removal. That it would, however, be impossible for him (lord Moira) to concur in making the exercise of this power positive and indispensable, in the formation of the administration, because he should deem it on public grounds peculiarly objectionable. To this lord Grey and lord Grenville replied, they also acted on public grounds alone, and with no other feeling whatever, than that which arose from the necessity of giving to a new government that character of efficiency and stability, and those marks of the constitutional support of the crown, which are required to enable it to act usefully for the public service; and that on these grounds it appeared to them indispensable that the connection of the great offices of the court with the administration, should be clearly established in its first arrangements. A decided difference of opinion, as to this point, having been thus expressed on both sides, the conversation ended here with mutual declarations of regret. Nothing was said on the subject of official arrangements, nor any persons proposed, on either side, to fill any particular situations."

And now he would ask, with what authority the noble lord had said, the removals in the household, were greater than were ever meditated before in any change of administration? He hoped the House would indulge him in making some observations on this subject. The object of the vote of the House was to have an administration of strength and efficacy.—Now what would give strength and efficacy to the government? The first thing he conceived was a concurrence and agreement in principles—the next thing to give strength and efficacy, was a perfect union and good understanding among all the members of that administration—the good character of those members—the opinion which the country entertained of their ability, and above all, of their honour and integrity. But there was still another thing necessary to give strength to an administration, both in parliament and throughout the country, and that was, that it should be generally believed, such an administration possessed the full confidence of the sovereign whom they served. He knew not how any administration could be considered efficient, unless those marks were given which usually designated the confidence of the crown in those who were its servants. It had been said, that upon the second proposition such an arrangement might easily have been made as would have been of utility to the country, and honourable to his noble friends; and that they were not justifiable in breaking off the negociation on the principles avowed by them. Those who maintained this opinion had not certainly well considered either the principles of the constitution, or what its practice had been. He considered this principle to have been clearly established at the Revolution; a principle which gave occasion to the Revolution itself, against which the House of Stuart contended, and in support of which the House of Hanover was seated on the throne, namely, that the sovereign should be irresponsible, that the servants of the crown should be alone responsible, but that so long as they were the responsible servants of the crown, they were entitled to advise the crown in every point in which the royal authority was to be exercised. This was a fundamental principle.—Against it the House of Stuart long contended; and if the Journals of that House were looked into, they would often find that parliament were told not to interfere with the government, and that matters of state did not belong to their cognizance. It was, no doubt, a prerogative of the crown to dismiss its ministers; but while they were employed, he would contend, the crown was bound to take their advice in the exercise of all its powers, and all its prerogatives. It had been said, that the regulation of the influence of the household did not properly belong to the servants of the crown, that the household was totally distinct from the state, and that ministers had no right to interfere with what were called the private servants of the crown. He knew that the practice since the Revolution had been never to change from some situations; and that the groom of the stole, and the master of the ceremonies, for example, were never changed under any administration. But it had always been usual to remove from certain other offices. He had a list of them in his pocket, which he would read. Among these were the situations of master of the horse, lord steward, lord chamberlain, and vice-chamberlain, and the captain of the band of pensioners, who had been almost always changed on every new administration. To prove that this was the case, he would refer them to the removals which had taken place at different periods during the present reign, not when there was a mere shifting in the administration, as at present for instance, but when there was a complete change. After adverting to the particulars of the different removals which had taken place from the office of chamberlain and lord steward in 1762, 1766, 1783, 1784, and other periods of the present reign, he observed that he could go, if it were necessary, through all the other offices; but any person who would take the trouble to look into Beatson's Political Index, would find all the changes mentioned there. The noble lords, his friends, merely wished to know, if they were to be permitted to make the same changes which had usually been made, they asked nothing new, nothing extravagant, nothing but what had always taken place on similar occasions. The noble lord (Moira) thought this objectionable on public grounds. His noble friends also acted on public grounds. What would the public have thought of the confidence reposed in his noble friends if they had yielded that point, and had consented not to exercise the same power, which had been exercised by every former administration? Would they not, most properly, have been accused of having abandoned the great principle on which former administrations had been raised, that of possessing the patronage of the principal offices connected with the court? What could be more opposite to the spirit of the constitution than that those possessing such offices, should be enabled to give advice, without any responsibility attaching to them? Why should that system be varied, which, since the Revolution, had been acted on in a greater or less degree? Why should a new distinction be made between the offices of the court and of the government? Why should it be supposed, that when the monarch called individuals to his counsels, their power, which should embrace every thing useful to the state, should be circumscribed and restricted? It was indispensably necessary for the cabinet to connect with itself all the great offices of the court; for what could tend more to enfeeble an administration, than that certain high offices should be altogether beyond their controul? He had yet to enter upon observations much less pleasant to his feelings: but he could not shrink from them, though he hoped he should observe the utmost delicacy. He would ask, would the noble lords have been justified by any thing that took place in abandoning principles which had been invariably insisted on by their predecessors? One thing he would advert to: neither of those noble lords had been honoured with admission to the presence of the Prince Regent. The ordinary practice in forming an administration was, for the monarch to send for those whom he might intend to admit into the government, and to express his wishes on the subject; but here a noble lord was sent to them instead. There was nothing, indeed, either in the proposal or in the manner of its being offered, which indicated any thing like confidence on the part of the crown. In the second proposal, also, lord Moira was instructed to request an interview, and no access to the royal person was suggested. If, therefore, those noble lords felt, as undoubtedly they did feel, that the appearance of personal confidence was desirable in their acceptance of power, it must be acknowledged that no mark or token of that personal confidence was exhibited. How could they undertake a great and important part in an administration under such circumstances? The vote of that House had substantially pronounced the then ministry to be unfit to conduct the affairs of government, and the noble lords had shewn the most cordial desire to co-operate in forming an administration that should be efficient and satisfactory to the country. But he wished to shew the difficulties they had to struggle with. The first principle that was proposed as the basis of a new administration, was the Catholic Question. Against that question there had been a majority in parliament twice during the present session. It was impossible, however, that his noble friends, consistently with the political principles they had invariably professed, could consent to form part of any administration unless they could carry that measure; and how could they enter into that one which was proposed with that brand upon them, of the absence of all personal confidence on the part of the sovereign? Why, in order to carry that measure, against the majorities in parliament, it was necessary that the cabinet should possess every mark, and every effective countenance which the confidence of the crown could bestow. There was another point also, that which was called the revocation of the Orders in Council, but which he should rather call the adjustment of our differences with America. On that question, too, a majority in parliament had pronounced a negative. Was it a light thing, then, for the noble lords to enter upon a career, where they might have to carry measures against majorities in parliament, without that necessary authority which resulted from the avowed confidence of the throne in their proceedings? With respect to the question of America, it was the more difficult, because this country had gone on so long in a particular course, and France had been so active in endeavouring to irritate her feelings on the subject, that the nicest management was absolutely necessary. That which could have been done, a year or two ago, in consequence of the change in the situation of that power, perhaps it would be now found impossible to execute. There was another question, that of economical reform, on which a difference of opinion also existed. The Bill of an hon. member (Mr. Bankes) on the floor, peculiarly connected with this subject, had received powerful opposition from those with whom his noble friends were called on to act. In the principal division on that Bill, which had not yet passed, it was carried by a majority only of eleven; and, how could similar measures be effectively introduced, if the great body of the administration were hostile to them? But notwithstanding these circumstances, which he begged to press upon the attention of the House, it had been said, that his noble friends were not justified in breaking off the negociation. He would say, however, and he would prove it, that the rupture did not originate with them. It had also been said, they should have receded from their pretensions, upon the large and general principle of public good. In the opinion of many, that doctrine might appear wise and reasonable. In his opinion it was no such thing. How would the public have felt had they so receded?—Would the nation have believed that they possessed the requisite power of ministers, when they could not exert it even in removing two or three officers of the household?—To that it had been replied, they might have come into administration, and reserved the exercise of their power upon that particular point alluded to, till they conceived some undue practices called for it; but, in his opinion, the only manly way was to tell at once what they meant to do. For, what an odious task would have been imposed upon them!—To deny them the power which had been granted to all their predecessors, under similar circumstances, and to leave them a power, the exercise of which was most invidious. That, however, was the power, and the only power offered to the noble lords, and they thought it most consistent with manly integrity and true candour, to refuse it. He saw a right honourable gentleman in his place (Mr. Canning), and to him he appealed, whether his noble friends had been actuated by any narrow or personal feelings; or whether they had not been most anxious to carry into effect the vote of that House consistently with what had been the political principles of their whole public conduct. If an union could have been formed without any dereliction of principle, with those who at present held high situations in the government, his noble friend would have been most anxious to promote it. He had stated all those particulars, that the House might be in complete possession of the whole transaction. It had been said that other negociations followed: but of them he knew nothing.

With regard to the motion then before the House, he would say a few words. For the character of the gentleman who originated it, although he was but little acquainted with him, and although he had the misfortune to sit on a different side of the House, he had the highest respect, and he felt, therefore, much pain at being compelled to vote against his proposition. His reason for so doing was, that it appeared to him the motion went to keep that administration still in power, which at his suggestion on a former evening, had been voted out, getting for it, however, any accidental aids which chance or intrigue might offer. The motion, indeed, was not very complimentary to the ministers, for it is still insinuated that they needed strength and efficiency; but it did not go far enough in his apprehension. There never was, he believed, an instance, where that House had come to an affirmative vote upon the dismissal of ministers, (and as such they themselves understood it, for they tendered their resignations in consequence) and yet suffered the same administration to continue. He called it the same administration, for not one new man had joined it. Even the right hon. gentleman who had preceded him, though not regularly acknowledged as such, had long been recognised as a branch of the administration. And upon what grounds were parliament to be satisfied with this administration? Was it upon its strength and efficiency? Certainly not.—Was it upon the hope that it would adopt those conciliatory measures towards the Catholic subjects of the empire, which were so essential to its prosperity? He feared the hope would prove fallacious. Was it indeed, possible, that in the present administration, constructed as it was, the Catholic Claims would be advanced? One of the ministers, (lord Harrowby) had said—(Order! order!) He begged pardon—he had heard that one of the ministers had said, in another place, that the present administration remained in office merely to save the Church and State from falling into the hands of those whose principles were known to be dangerous to both. He should like to know then whose opinions had changed upon the subject. He had gone over all the members of the cabinet in his own mind, and he could not find one. But they were told the Catholic question was not to be a cabinet measure. He would venture to say, however, that if it was not a cabinet measure it would never become a legislative measure. For his own part, he had never read in history, that any great measure had ever been carried but by a cabinet. Was it not also a singular fact, that the government of England should avowedly have no opinion upon a question which involved the destiny of four millions of people! He should be most happy, however, to find his opinions erroneous; he should rejoice to find the conduct of the cabinet contradict his predictions, and he would venture to say for himself, and he believed he might do it for those who did him the honour to act with him, that if there was one in that cabinet sincerely disposed to advance the Catholic claims, that one, be he who he might, would receive as zealous, as sincere, as unabated support from them as could be given.

He could not conclude without observing, that if his noble friends had lost power, it would be some consolation to him, should they be able, out of office, to carry those measures, for the support of which they had once lost their offices. He trusted, after what he had said, that the noble lords would stand acquitted of all desire to monopolize power, or of withholding their services for the good of the country, when they could conscientiously offer them. He hoped also, they would stand acquitted of every wish to hurt the feelings of any person, and especially of that illustrious personage whose station could not be too much respected and exalted: he knew, indeed, how far they were above it; he knew how much they were incapable of any such proceeding; and he trusted they would have an opportunity of stating it in another place, when their abilities would supply all that he had omitted.

Mr. *Canning* observed, that the manner in which the right hon. gentleman had done him the honour to allude to him, and the share which it had been his lot, humble as he was, to take in the recent negociations, induced him to trespass for a short time on the attention of the House. The part which he had acted under a noble lord, in the course of these transactions, left him no option but to come to the defence of the noble persons, who were the immediate friends of the right hon. gentleman, against any charge of want of candour and liberality on their part; and he now entered on this discussion, with the same temper and moderation which his noble friend had displayed throughout the whole, for the purpose of stating the colour and nature of those transactions in which he was personally engaged, abstaining cautiously from any comment, and from any mention of himself beyond what might be inevitably forced upon him by the circumstances of the case. The right hon. gentleman had truly stated the wish, which prevailed on both sides, to have been to provide a strong and efficient administration. He had also justly characterised and defined wherein such an administration might be supposed to consist, at least in point of principle and public confidence. But there was one error under which it appeared to him the right hon. gentleman and his friends laboured, and that was, that such an administration could only be understood in one way; which was, in fact, leaving all others who might join them nothing to do but to surrender the pre-eminence into the hands of him who could count the most numerous supporters in that House. Now obviously lord Wellesley did not stand in that situation; he had not the numerical followers who could give this sort of strength to an administration. Undoubtedly then, they differed in their views on this point. It was not lord Wellesley's opinion, that, because his force was not the larger of the two, therefore he was to pursue all the measures of the larger party with which he might connect himself, and into whose power his power must merge, but rather that mutual consideration, and weighing of those measures, should be the consequence. True it was, that an administration might then be pronounced most strong, when it contained no conflicting principles, and no contradictory opinions; when it came forward with long concerted plans on public subjects, and when its members had been connected for a series of years past, in political agreement. But still when such a description of men came into power, it could not be said to be an union of parties on an extended basis, but a transfer of power from one party in the state to another. When the commission was first offered to lord Wellesley, he was aware, that to lay the foundation of an extended and efficient administration, though differences of opinion might exist, as to points of inferior importance, yet an understanding should be come to with regard to the two great points of our external and internal policy,—the conduct of the war, and the claims of the Catholics. Besides these, there were others which might become matters of mutual discussion. He now referred to the Orders in Council, which involved much matter of serious deliberation, and about which there might be some difficulty in coming to a practical conclusion. This then, was a point which lord Wellesley conceived might remain fairly open in all its bearings to mature consideration. But he did imagine that an union on the two great points of external and internal policy, to which he had alluded, might form a basis sufficiently strong and extended for the superstructure of an efficient ministry to be erected upon it. He did not deny that the American question was extremely important; but still it was so complicated in its details, and so many recent negociations had taken place upon it, that it at least required the most serious and dispassionate attention. Were he called upon to yield any of the great principles of maritime law on which this country had acted, he had no hesitation in refusing his assent to any such proposition. With regard to the conduct of the war in the peninsula, no man could mean to offer the proposition that it should be persisted in at all events, or that the blood and treasure of the country should be drained in a contest evidently hopeless. In the proposition which his noble friend made to lords Grey and Grenville, it was perfectly understood that they might retain their opinions on the origin of that war; all that was wished was, that they should be prepared to agree to its maintenance in the mean time, and that they should reserve to themselves the right of examining the means, the extent, and the mode of carrying it on. The difficulty of complete concurrence of opinion on these and other points, his noble friend and himself did not disguise from themselves, nor did they disguise, that if they required conciliation upon all points, it would be impossible to form any administration. They thought it better, therefore, to limit themselves to two great objects—the one a leading feature of internal policy—the other embracing almost our whole external system. Upon these it was necessary to ascertain an union of sentiment; and that union, if complete, would, they thought, be sufficiently strong to bear the superstructure of a combined administration, though differing upon other questions, not perhaps of inferior importance, but not so immediately affecting the leading features of our present policy.

With these impressions, his noble friend made a communication to lords Grey and Grenville; of which the following was a Minute:

MINUTE of a COMMUNICATION made by Lord Wellesley to Lords Grey and Grenville, at Lord Grey's house, dated May 23, 1812.

"Lord Wellesley stated, that he had received the commands of his royal highness the Prince Regent, to lay before his Royal Highness the plan of such an administration, as he (lord Wellesley) might deem adapted to the present crisis of affairs.

"That he had apprised his Royal Highness of the necessity of ascertaining the views and dispositions of all parties with regard to certain general principles, previously to the formation of any such plan.

"That he considered himself merely as the instrument of executing his Royal Highness's commands on this occasion; and that he neither claimed, nor desired for himself any station in the administration which it was in his Royal Highness's contemplation to form.

"Under these circumstances he requested to know, whether any obstacle existed to the concurrence of lords Grey and Grenville, or their friends, in the following general principles, as the basis upon which an administration might be formed:—

"1st. That the state of the laws affecting the Roman Catholics, and the claims of that body of his Majesty's subjects, should be taken into immediate consideration, with a view to a conciliatory adjustment of those claims;

"2nd. That the war in the peninsula should be prosecuted on a scale of adequate vigour.

"Lord Wellesley stated, that as Mr. Canning and he agreed in these principles, he had requested Mr. Canning to communicate them to lord Liverpool.

"Lord Wellesley has reduced the substance of this communication to writing, and now submits it to lord Grey and lord Grenville. (Signed) WELLESLEY."

To this communication the noble lords made the following reply:

MEMORANDUM from Lords Grey and Grenville, dated May 24, 1812.

"In such a moment as the present, we feel it to be the duty of all public men, both by frank and conciliatory explanations of principle, and by the total abandonment of every personal objection, to facilitate as far as may be in their power, the means of giving effect to the late vote of the House of Commons, and of averting the imminent and unparalleled dangers of the country.

"Lord Wellesley has selected two,

among the many important subjects which must engage the attention of any men, who could, in such circumstances, be called upon to consider of the acceptance of stations of public trust.

"On those two points our explanation shall be as distinct as it is in our power to make it.

"On the first, indeed, our opinion is too well known, and has been too recently expressed, to need repetition.

"We have derived a very high gratification from lord Wellesley's powerful exertions in support of the claims of the Roman Catholics; as well as from the manner in which that subject is adverted to in his minute; and we do not hesitate to assure him, that we will warmly support any proposal made by any ministers, for the immediate consideration of those claims with a view to their conciliatory adjustment; a measure, without which we have already declared, that we can entertain no hope in any case of rendering our own services useful.

"As to the second point, no person feels more strongly than we do the advantages which would result from a successful termination of the present contest in Spain. But we are of opinion, that the direction of military operations in an extensive war, and the more or less vigorous prosecution of those operations, are questions not of principle but of policy; to be regulated by circumstances, in their nature temporary and fluctuating, and in many cases known only to persons in official stations,—by the engagements of the country, the prospects of ultimate success, the extent of the exertions necessary for its attainment, and the means of supporting those efforts without too great a pressure on the finances and internal prosperity of the country.

"On such questions, therefore, no public men, whether in or out of office, can undertake for more than a deliberate and dispassionate consideration, according to the circumstances of the case as it may appear, and to such means of information as may then be within their reach. But we cannot in sincerity conceal from lord Wellesley, that, in the present state of the finances, we entertain the strongest doubts of the practicability of an increase in any branch of the public expenditure."

Lord Wellesley's declared object being to form a comprehensive administration, which should unite, if possible, all the great parties of the state, it was necessary that a proposition should also be made to the members of the suspended government.

At the same moment, therefore, at which his noble friend made the communication which he had read to lords Grey and Grenville, he (Mr. Canning) made a proposition to lord Liverpool; of which the following was a minute:

MINUTE of Mr. Canning's PROPOSITION to Lord Liverpool, dated Fife-house, May 23, 1812.

"The Prince Regent having laid his commands upon lord Wellesley to form a plan of an administration, to be submitted for his Royal Highness's approbation, Mr. Canning was requested by lord Wellesley (as the channel of communication thought likely to be most agreeable to lord Liverpool) to enquire of lord Liverpool, whether there would be a disposition on the part of lord Liverpool, and of his colleagues, or of any of them, to entertain any proposal which should be made to them for forming part of that administration.

"The principles upon which the administration was intended to be formed were stated to be, first, the taking into the early and serious consideration of the executive government the state of the laws affecting the Roman Catholics, with a sincere and earnest desire to bring that important question to a final and satisfactory settlement: secondly, the prosecution of the war in the peninsula with the best means of the country.

"It was stated, that there would be the strongest wish to comprehend in the arrangement, without any individual or party exclusion whatever, as many as possible of such persons as might be able to agree in giving their public services to the country on these two principles.

"With respect to the distribution of offices, it was stated, that nothing of any sort was decided or stipulated; but that every thing would be open to be arranged to the honour and satisfaction of all parties."

To this proposition the noble earl answered as follows:

LETTER from Lord Liverpool to Mr. Canning, dated Fife-house, May 23, 1812.

"My dear Canning; I have communicated to my colleagues the memorandum which I received from you this afternoon.

"They do not think it necessary to

enter into any discussion of the principles stated in that memorandum; because they all feel themselves bound, particularly after what has recently passed, to decline the proposal of becoming members of an administration to be formed by lord Wellesley.—Believe me to be, with sincere personal regard, my dear Canning, very faithfully your's,

(Signed) LIVERPOOL."

With regard to the proposals made by his noble friend to lords Grey and Grenville, he was willing to admit that they were met in a fair, frank, and conciliatory manner. He would willingly admit also, the force of the objection made by the noble lords to the second proposition, that it was a matter of policy rather than of principle, and that its adoption was to be regulated by considerations that could arise only from knowledge of official details. At the same time, however, the right hon. gentleman would concede to him, that to form an administration, without knowing, generally, what were the opinions of its members, upon certain great leading questions, would be to risk dissention and discord in the very outset. It was no part of his noble friend's desire to dictate to the noble lords, that they should carry on the war in the peninsula, under all circumstances, that they should drain the country of its resources to prosecute a hopeless contest, and that they should disclaim all considerations of expediency; but he was justified in asking, if they would come to the question with the disposition to continue the war, if they found its continuance a matter justified by every circumstance they should learn? and if they replied, that their disposition was to continue the war, provided they should be convinced, from official details, that it would be a measure of sound policy, then their demand to know those details before they gave any pledge, would be considered only as the demand of men acting from the dictates of just discrimination and good sense.

The right hon. gentleman had stated, that there was some difference in the terms of lord Wellesley's communication to lords Grey and Grenville, and in those of his (Mr. Canning's) communication to lord Liverpool; but he had not distinctly described the extent of that difference, or the mode in which it was subsequently explained. Lord Grey required an explanation in the following letter:

LETTER of Lord Grey to Lord Wellesley, dated Portman-square, May 27, 1812.

"My lord,—I have the honour of returning the papers which your lordship was so good as to put into my hands this morning.

"I observe a material difference between the terms in which the two principles, proposed as the basis of a new administration, are stated in Mr. Canning's minute, and in that sent to lord Grenville and me by your lordship. I think it necessary to call your lordship's attention to this circumstance, because if these discussions should proceed further, it may become of the utmost importance. I am, with the highest regard, my lord, your lordship's very faithful humble servant,

(Signed) "GREY."

To this Letter lord Wellesley replied as follows:

LETTER of Lord Wellesley, to Lord Grey, dated Apsley-house, May 28, 1812.

"My lord, I should have returned an earlier acknowledgement of the honour of your lordship's letter of yesterday, had I not thought it necessary to see Mr. Canning before I troubled your lordship with any answer to your observations on our respective minutes.

"Having carefully examined those papers, and compared them with our view of the points to which they refer, we have drawn the enclosed paper for your lordship's information, and have authenticated it by our respective signatures.—I have the honour to be, &c.

(Signed) "WELLESLEY."

PAPER signed by Lord Wellesley and Mr. Canning.

"The variance in point of phrase in the two propositions as stated by lord Wellesley and Mr. Canning in their minutes of conference, arises from this circumstance, that lord Wellesley and Mr. Canning went to their respective conferences without having thought it necessary previously to reduce into a written form the communications which they were to make, being in full possession of each other's sentiments upon the subject of them.

"The two minutes were written by them as containing the substance of their respective communications; that of Mr. Canning in lord Liverpool's presence; that of lord Wellesley immediately after his return from lord Grey.

"There does not appear to lord Wellesley and Mr. Canning to be any substantial variance in the first proposition.

"The word 'early' in Mr. Canning's minute might be exchanged for the word 'immediate,' used by lord Wellesley, without in any degree altering the sense: as with a motion actually pending in the House of Commons, which, (but for the events that have recently taken place) would have come on this very day, the object of which was to compel the executive government to take the subject of the Catholic question into consideration, it cannot be necessary to say that Mr. Canning has no wish to defer that consideration. On the other hand consideration by the executive government is the object which it is lord Wellesley's intention to recommend: nor does he conceive any farther parliamentary proceeding to be necessary or practicable this session than such as might be sufficient to insure, either by compulsion upon a hostile administration, or by pledge from a friendly one, the consideration of the question during the recess with a view to its being brought before parliament by the recommendation of the crown, early in the ensuing session.

"A committee to enquire into the state of the laws has been already negatived in both Houses this session.

"A 'conciliatory adjustment' of the claims of the Irish Catholics is the object which lord Wellesley and Mr. Canning have equally at heart; and it enters equally into both their views that to be 'conciliatory' that adjustment must be so framed as to embrace the interests and opinions of the English Catholics,—also, to obtain the enlightened and deliberate consent of the Protestants of both countries. They would think any adjustment very imperfect, which instead of extinguishing discontent, only transferred it from the Catholic to the Protestant.

"But they concur in entertaining a confident belief, that the great purpose of securing the peace of the empire may be best answered, not by giving a triumph to any one party, but by reconciling all.

"In the substance of the second proposition, there is no variance as to any practical and prospective purpose, though undoubtedly there is, and it is natural there should be, some as to the past, arising from the difference of Mr. Canning's and lord Wellesley's respective situations.

"When Mr. Canning says, that the peninsular war is to be carried on 'with the best means of the country,' he intends the greatest scale of exertion which the means of the country may be found capable of sustaining.

"If lord Wellesley's expression, 'a scale of adequate vigour,' may be construed to imply the proposition, that the late exertions of this country have not been proportioned to the great object of the war, or have not been duly distributed or apportioned; this proposition Mr. Canning certainly does not intend either to affirm, or to deny; simply because, not having been in the government during the last two years, he has not sufficient information to be able to pronounce an opinion, whether the exertions of those two years have or have not been below the proper scale, or have been well or ill administered; nor how far they may now admit of being extended or more judiciously applied.

"He concurs, however, entirely with lord Wellesley, in wishing to extend them to the utmost power of the country; and to apply them in the manner best calculated to answer their end.

(Signed) "Wellesley.
"George Canning."

To this communication lord Grey made the following rejoinder.

Letter from Lord Grey to Lord Wellesley, dated Portman-square, May 29, 1812.

"My lord,—I had last night the honour of receiving your lordship's letter, enclosing a paper explanatory of the difference which I had remarked between your lordship's minute and Mr. Canning's, together with a copy of the latter.

"I beg your lordship to be assured that in the observation to which I had thought it necessary to call your lordship's attention, I could have no object but that of preventing the possibility of any future misunderstanding. We had not entered into any explanation, which, under the circumstances of the moment, would perhaps have been premature, of the details of conduct necessary to give effect to the first of the propositions, offered by your lordship as the basis of a new administration. From the difference of the time used by Mr. Canning in stating that proposition, I was apprehensive that it might be his opinion, in concurrence with your lordship's, that no parliamentary proceedings with reference to the claims of the Catholics, should take place during the present session. To such an opinion I could not have assented; and I felt it to be due both to your lordship and to Mr. Canning, immediately to draw your attention to a point on which it was so desirable that there should be a clear understanding between us.

"I hope it is unnecessary for me to state, that I can look at the situations of the Catholics (both Irish and English) with no other view than that of the public interest; and that nothing can be further from my disposition, or my intention, in a matter of such pre-eminent importance, than to give to any one party a triumph at the expence of another. But I do not conceive, that the repeal of the disabilities of which the Catholics complain, can give any just cause for discontent to their Protestant fellow subjects; and I am strongly of opinion, that the efficacy of that measure must in a great degree depend on its being carried into effect with the least possible delay, and with the clearest demonstrations of a conciliatory and confiding spirit. Under this impression I should very reluctantly abandon the hope of passing a Bill for such repeal, even during the present session; but if this cannot be done, I hold it to be indispensable, that the most distinct and authentic pledge should be given of the intention, both of the executive government and of parliament, to take this matter up as one of the first measures of the next. To a proceeding of this nature, from the Paper signed by your lordship and Mr. Canning, I am led to hope that you would not be averse.

"As to the second proposition, the difference which I had observed was much less important. It is impossible to reduce a question of this nature to any fixed principle. Whatever we can say with our present means of information, must necessarily be general and inconclusive, the whole subject being left open to future consideration and decision. I can have no hesitation in subscribing to the proposition, that, if it shall be found expedient to continue the exertions we are now making in the peninsula, they should be conducted in the manner best calculated to answer their end.

"I have, I fear, troubled your lordship much more than is necessary under the circumstances of our present situation; and I will only add, that if we should be called upon to pursue these considerations in their practical details, it will be my most anxious wish, that no difference of opinion may be found to exist between us, respecting the conduct to be adopted by a government equally solicitous for the internal peace and harmony of the empire, and for the prosecution of military operations in such a mode as may appear most conducive to our ultimate security. Lord Grenville, to whom I have communicated your lordship's letter, and its enclosures, desires me to express his cordial concurrence in this wish.—I have the honour to be, with the highest regard, my lord, your lordship's very faithful humble servant,

(Signed) "GREY."

In consequence of the declaration on the part of lord Liverpool and his colleagues, that they must decline becoming members of any administration to be formed by lord Wellesley, he (Mr. Canning) had thought it his duty to write the following private letter to lord Liverpool:

LETTER from Mr. Canning to Lord Liverpool, dated Gloucester Lodge, May 24, 1812; ½ past 8, A. M.

"My Dear Liverpool,

"I have received your letter of last night, which I will immediately transmit to lord Wellesley.

"Before I do so, however, and of course, therefore, without lord Wellesley's consent or privity, I cannot forbear suggesting to you to consider, whether the sort of personal objection which your letter evidently and exclusively implies, will stand fairly before the country; at such a moment, as a justification for refusing to act in an administration, to the public principles of which you do not feel, or at least do not state, any insurmountable repugnance.

"I would suggest to you further to consider, whether, resting your refusal on an objection merely personal, you do quite justly either by yourselves or by the individual concerned, in leaving the precise nature of that objection wholly unexplained.

"In offering these suggestions, I perhaps exceed the limits of a correspondence such as ours is, upon this occasion: but they strike me so forcibly, that I think I owe it to you, not to withhold them. Whether to communicate them to your colleagues or not, I leave entirely to your discretion; but you at least will not resent, so far as you are yourself concerned,

a freedom which may be justified by that regard with which I am, ever, &c.
(Signed) "GEORGE CANNING."

To this private letter Lord Liverpool sent the following reply:

LETTER from lord Liverpool to Mr. Canning, dated Fife-house, May 24, 1812.

"My Dear Canning,

"I have this moment received your answer to my letter of last night.

"As that letter was not written without all due consideration, I do not feel that it can be necessary for me to call my colleagues again together upon the subject of it.

"I can answer, however, for myself, (and I am confident equally for them,) that I am not actuated, in declining the proposal made to us, by any objection of a nature purely personal. But when I advert to the opinions and statements recently sent forth to the world respecting public men with whom I have been connected, and public measures in which I have been engaged, I do not feel that I should have acted consistently with my own honour and character, or with the respect which I must ever owe, and shall ever feel, to my departed friend, if under such circumstances, I could have consented to have entertained the proposal which you were authorised to submit to me.

"As these considerations afforded an insuperable obstacle to my becoming a party to the proposed arrangements, I thought it wholly unnecessary to enter into any explanation on the two principles on which the administration is stated as intended to be formed, or on other points of the greatest public importance; and I must protest against any inference whatever being drawn from my silence in this respect.

"I can assure you that I am most willing to render you every degree of justice for the motives which have dictated your answer to my letter. And I remain with sincere regard, &c. LIVERPOOL."

He had entered into these details, because he thought it due to both parties to do so; and because he wished to render exact justice to all. Lord Wellesley had had the opportunity of such complete and ample justification in another place, that it would be quite unnecessary for him to travel over the same grounds. He would content himself with observing, that the whole of the noble lord's negociation discovered the most marked characteristics of a magnanimous spirit and an innocent heart. The right hon. gentleman had justly stated, that there was here an interval, during which nothing appeared to be done. It was his duty to account for that interval; and he could assure the House, that it was not unemployed,—that the commission of his noble friend was not suspended, but that attempts had been making to induce the late colleagues of lord Wellesley to form part of the intended administration. It was true that these attempts had not been successful; but surely upon their own principles, the gentlemen opposite could not censure the effort. Upon the principle of numerical strength, on which they acted, they had no right to quarrel with what was not a very unusual thing,—a stipulation of numbers in, or a balancing of the cabinet. It ought, however, at the same time to be remembered, that however balanced, or however dissected, the cabinet might be, there was a majority of one offered to the noble lords. This concession of his noble friend, might, on the principle of a balanced cabinet, be considered even rash; but, under the present circumstances of the state,—in the present divisions of public men, he did not know how a cabinet could be got together between no two of whom there should be a difference of opinion. All hope of such a cabinet was now gone; and it was not too much to assume, that they who had put an end to that hope, thought that they ought to have, and to continue to possess, exclusively the power of the government. He did not say that that might not be very fit, but it was not certainly the principle on which the negociation was founded; and on the whole he could not help again declaring, that the offer made by his noble friend to the noble lords was generous, was liberal, was even rash: that offer was rejected, and it was not for him to say one word on the motives which dictated that rejection. He did not by any means impeach their conduct,—but they withheld their services; and it was in his opinion a just conclusion, that unless the whole power of the government was put into their hands, their pretensions could not be satisfied. Again he begged leave to observe, that he did not attach blame to the noble lords. He did not say that they rated their political consequence too high, but he only wanted to shew the principle on which they acted. The right hon. gentleman complained, that the noble lords were not honoured by the Prince with a personal interview; his answer to that complaint was, that somebody was sent for. And here again what could those complaints mean, but that the right hon. gentleman thought, that the whole government should be yielded to the disposal of his noble friends? He did not blame the noble lords, nor the right hon. gentleman, for thinking they had a right to such disposal: he was only explaining the principle on which lord Wellesley's offer was rejected. That offer being, however, thus rejected, lord Wellesley surrendered his authority, and it was then consigned to lord Moira. As to lord Moira's negociation with the noble lords, he of his own knowledge could say nothing, nor indeed should he advert to it at all, except that he wished to do justice to the noble lord, whose efforts had been rendered unsuccessful by the condition made so peremptorily and entirely by the noble lords. He had before stated, that he could say nothing of his own knowledge of the steps taken by lord Moira subsequent to the failure of lord Wellesley's negociation. The reason that he was thus ignorant was, that as he had been one of those mentioned as a cabinet minister in the first proposition, he had a motive of delicacy in wishing not to be mentioned by lord Moira in his transactions with lords Grey and Grenville, until he saw what progress would be made in the arrangement between them. He wished to watch their proceedings; reserving to himself, after what had passed, the right of acceding or not to any proposal which might be made to him. He at the same time told lord Moira, that if this new negociation should happen to be broken off, then his services would be at his lordship's command. This was, perhaps, all that he was called upon to say concerning the late negociations, as far as they regarded himself; but he thought it was due to lord Moira, to give all that evidence of the sincerity with which he acted, by alluding to the letters which passed between him and the noble lords. On the 4th or 5th of June, he sent his compliments to the noble lords, "begging them to advert to his communication of the 3d of June, and stating how happy he should be to obtain permission from the Prince Regent to address them formally, with respect to the very objects they all had in view." This letter was written by lord Moira under a notion that his former communication was some way or other considered disrespectful, and that the noble lords did not conceive themselves approached in a manner consistent with their dignity. The answer of the noble lords to this communication declared, "how desirable any personal communication of the noble lord could be always to them, but that they did not conceive how any unauthorised discussion could be useful." It stated also, "that they would ever receive, with feelings of the highest respect, every communication from his Royal Highness, and that they yielded in zeal for his interests to none others whosoever." To this lord Moira replied, "that he would leave no efforts untried in the pursuit of the object he had in view, and that he was authorised to communicate with them from the Prince, but that he wished lord Erskine to be present with him, at his interview with the noble lords." This brought down the transactions to the minute read by the right hon. gentleman, which was commented upon in a manner that to him appeared the most unfair. It was said by the right hon. gentleman, that lord Moira insisted on a denial of power which the noble lords considered inseparable constitutionally from the government. In the right hon. gentleman's view, it would appear that lord Moira thought as if some "hedge or sanctity" had been thrown over the houshold which protected no other political department: but lord Moira thought no such thing. With that candour and frankness which ever distinguished lord Moira, and which to say the truth were called for by the equal candour and frankness of the noble lords, that noble lord said, it was not to the existence of the power of displacing the houshold, but to the application of that power, now, under all the circumstances of the case, that he objected: and he himself would contend, that in thus acting, lord Moira was swayed as well by public principle as by private feeling; and that if he had acted otherwise, he would have betrayed both. Lord Moira did not hold that in ordinary cases this power should not be exercised; but what he protested against was, the making the exercise of it, in the present instance, the very first act of the new administration. The noble lord was of opinion, that the present exercise of that power would be fastening on a quarter which it was most desirable should be free from imputation, those calumnies which were so much in the mouths of men. He did not object to the right of the new Administration to displace the great officers of the household, but it was the policy of doing so which he condemned. Such policy, he knew would tend to fix a stain indelibly, where no spot ought to be allowed to remain. Now in this conduct of the noble lord, he would ask the right hon. gentleman, could he be accused of any partiality or predilection for the persons whose interests seemed to be declining? Could it be thought, that he wished to stand in the way of realizing that efficient government of the formation of which he himself was to have had the credit and the honour? The fact was, that lord Moira acted solely on public grounds. He saw that a construction would be given to the displacing of the officers of the houshold far beyond the opinion of the noble lords, and that great public mischief would be the direct consequence. He, in one word, resisted the application of a power which he acknowledged to exist. There was one point connected with this part of lord Moira's conduct which he was authorised to state particularly. Fearing that he was not entirely understood by the Prince when he received his unrestricted commands to form an Administration, when he returned to the royal presence, he put this question directly: "Is your Royal Highness prepared, if I should so advise it, to part with all the officers of your houshold?" The answer was, "I am": Then said lord Moira, "your Royal Highness shall not part with one of them." In this conduct of lord Moira, he (Mr. C.) saw nothing, but what was most honourable, and it was quite unfair to say with the right hon. gentleman, that this was an attempt to put persons holding high offices beyond the controul of government. But supposing, as a preliminary step, that lord Moira had agreed to the exercise of the power alluded to, and that afterwards some other point of difference should arise which would be fatal to lord Moira's patriotic efforts, what would the country say of the failure? The country, panting with the expectation of an Administration, would have said, "You have come out of a five hour's negociation, and what have you done? You have disjointed a houshold, but you have not formed a government." Whatever others might think of lord Moira's conduct, he thought him right; and he, therefore, upon the failure of the negociation with the noble lords, placed his humble services at his disposal. What happened afterwards it was unnecessary for him to state; but on Monday morning the noble lord surrendered his commission. As to any further mention or defence of the noble lord, he had now only to correct a misapprehension which had gone abroad, that on surrendering that commission he advised the revival of the present Administration. It was not for him to say what passed between the noble lord and his Prince; but of this he was assured, that five minutes after the interview between them, the noble lord related to him every thing that had passed, and in the whole of what he said, there was not one tittle as to any such advice. He stated this with no particular view, but merely for truth's sake; wishing to correct an erroneous impression, and not caring how that correction might be felt. As he was on the subject of correcting erroneous impressions, he thought it right to advert to a misapprehension of the right hon. gentleman, in an allusion to the speech of a noble lord (Yarmouth.) In speaking of the houshold, that noble lord did not say that there would be, if lords Grey and Grenville were in power, more removals than are usual on ordinary changes of Administration, but that there would be more voluntary resignations. He had now gone through the course of those transactions which afforded an opportunity of confiding the affairs of the country to that powerful phalanx, so splendid in great names, and so brilliant in ability. On public grounds alone he believed they most sincerely acted, and from him they should ever have the credit of having withheld their services from public views alone. He lamented that such an opportunity was not likely soon to occur again. (Here Mr. Whitbread smiled.) The hon. gentleman might smile, because he, perhaps, thought that the talents and character of his friends would yet force their way into power; but notwithstanding, he should continue to lament, that such an opportunity had been lost for realizing what had been long considered by many a mere creature of imagination, namely, an honest coalition of public men sacrificing some of their opposite doctrines to the general good of their country. He could not help thinking that such an opportunity would not speedily recur, whatever the hon. gentleman opposite might hope for. To those who looked on such a coalition as that to which he alluded as a mere chimerical experiment in politics, the present failure would be a matter of rejoicing; but to him, who had always held a contrary opinion, it was matter of sincere regret. He should now allude to one point more, and then sit down. The right hon. gentleman, and those on his side of the House, seemed to consider, that the great families and connections of this country had a kind of right to interfere in the nomination of ministers. He himself, who was so very humble an individual, who could not boast of any of those high connections, and who, perhaps, though unknown to himself, was influenced by those circumstances of his humble rank, did not certainly believe in the existence of any such right or pretension in the aristocracy. He thought that in the very best spirit of the constitution, the crown had exclusively the appointment of ministers, subject, of course, to the controul or advice of a free parliament. He did not, however, blame many of the gentlemen opposite for holding such an opinion. It was one that did not want the sanction of exalted authority; for even that great man, whose genius, infinitely more than that of all his cotemporaries, would mark our time with posterity, Mr. Burke himself, held that opinion. He concluded his speech by saying, that he did not feel himself called upon to vote for any of the amendments; and advised his hon. friend, in the peculiar circumstances of the present government, to withdraw his motion.

Mr. *Tierney* observed, that the right hon. gentleman who spoke last appeared to him from his speech to have entered on the late negociations with warm and, as he believed, unfounded prejudices against the high connections which existed among his friends. He contended, that with respect to the proposition made by the marquis Wellesley, it was merely asking the noble lords Grey and Grenville, and their friends, to join an administration already said to be formed, and that even thus, lord Wellesley had not sufficient authority to explain subsequently a misunderstanding alleged to have arisen. With respect to lord Moira's negociation, his noble friend had been charged with having sacrificed the hopes of the country to their enmity to the existing houshold. In the first place, the question put by lord Grey was merely as to those places in the houshold usually subject to the controul of the administration; such officers as were usually removable upon a change of ministers, and not a change of the whole houshold, or any thing like it. To this lord Moira objected *in limine*: and here they had to learn something entirely new. Instead of doing what he (Mr. T.) would have done in similar circumstances; instead of reading the minute of the conversation to his Royal Highness without a comment, and then waiting his Royal Highness's further commands; instead of this, he takes a course highly theatrical, as far as effect may be considered, independent of motive, to which he (Mr. T.) did not intend the slightest objection; but, like the right hon. gentleman, he came forward with a sudden display. "Is," said the noble lord to the Prince Regent, "Is your Royal Highness prepared, on my advice, supposing public exigency to require it, to part with the whole of your houshold?" Then what was the answer of his Royal Highness?—precisely what might be expected from his good sense and public spirit—"I am ready," replied the Prince, "to part with them all."—"Then," rejoined the noble lord. "not one of them shall be removed." Now really this appeared to him as rather going to a greater length than circumstances called for. For if the noble lord had stopped at this gracious reply on the part of the Prince Regent, and reported it to the noble lords in question, there could be no doubt that every difficulty would have been at once removed. But there was upon this very point a most unfortunate misunderstanding. It had been rumoured, that certain noble lords, now in the household, would have resigned the moment his noble friends had agreed to come into office. There had been certainly various rumours, particularly respecting the different accounts given by two brothers upon this matter; a noble lord (lord Yarmouth) had gone so far as to state, that his noble friends were aware of the intention on the part of the noble lords alluded to, to resign their places in the houshold, the moment those noble friends had consented to form an administration: to prove how improbable it was, that there was any such consciousness in that quarter, at least, he begged leave to state a circumstance that had occurred on that day. Having referred to a right hon. friend, (Mr. Sheridan) as to the truth of the statement respecting the intended resignations, that right honourable gentleman answered, "I will bet five hundred guineas no such thing was ever in contemplation."—He denied therefore, that his noble friends broke off the negociation; it was not their act, but that of lord Moira. And now here they were after all these negociations, brought back to the old question they had decided upon three weeks ago, with the self same gentlemen before them, partly recovered from their suspended animation, and begging that they might be kept a little longer from sinking. Why, the only obstacle to the formation of an efficient government had been already removed. (No, no! from the ministerial benches.) He could certainly very well understand why gentlemen on the other side should take the alarm at any apprehension of such obstacles being removed—but as this matter of the houshold was now so much better understood, he did not see why the negociations might not be resumed to-morrow, and all the gentlemen opposite put under water again.—He could account for the amiable milkiness of disposition that tempted gentlemen in power to call upon all those out of power to support them by an union, but the sober truth was, that in the present mode of extending an administration they could not expect to get new till they got rid of the old, so that question would not be merely the difficult one of who was to come in, but the still more difficult one of who was to go out. The members of the old administration were, naturally, very averse to go out. They would be happy however it seemed to get an accession of strength. "Very glad to see you, but can't ask you to sit down; here are no chairs." But if they could make room they might very well say, "Ours is the most convenient cabinet in the world for you to join: we care nothing about your principles; the basis of the present cabinet, is that we have no cabinet measures,—every man may do according to his own discretion,—no very limited latitude;—it is in short, Liberty hall; every man may do as he pleases." Still however there might be some awkward jostling between opposite discretions; between those, for instance, who thought the Catholic Question a vital one, and those who thought that it involved the safety of the principles of the Revolution, and the sanctity of the coronation oath; and he believed that there were two members of the present cabinet, who thought that the constitution and the coronation oath would be risked by a concession of the Catholic Claims. There might, to be sure, be questions where this liberty of discretion might give rise to some slight symptoms of practical difficulty, as should one member of the cabinet propose an immediate application of all the wealth and military means of the country, to support the campaign in the peninsula upon a grand and striking scale, and require a vote of 20,000 men and five millions of money for that purpose; and this campaign were not a cabinet measure, there might be another proposition from another member of the government, refusing in the exercise of his discretion any further aid to the peninsula, than that of 500*l.* and a corporal's guard. Was it possible to form an efficient administration on such principles? He exhorted the House to act upon that night in the way best calculated to enable them to go back to their constituents with an honest confidence, by consistently supporting the spirit of their former address.

Lord *Yarmouth*, in explanation, observed, that the right hon. gentleman had resorted to personal allusions, which he was called on by a sense of propriety to notice.

Mr. *Tierney*, in explanation, repeated the conversation which had taken place between him and his right hon. friend, and disclaimed any personal allusion.

Lord *Robert Seymour* stated the determination of the houshold officers to have resigned, in the event of lords Grey and Grenville coming into the administration.

Mr. *Fuller* observed, that the whole matter clearly came out now, and it was shewn, that all that the noble lords wanted was to get power and patronage. All they asked was, "shall we have so and so? shall we be allowed this place, and shall we have that?"—Was this their love for their country?—was this their pretension to patriotism? No! it was a love of places and pensions, and power, and emolument.—It was a steady enquiry what places they could get to enrich those who could tell them they had done so and so. They were determined to take every thing, and not to leave their Prince even the friend of his heart. But lord Moira had acted like a man of honour, and the whole country felt and acknowledged that he had proved a true friend to his Prince. As for all these motions for the formation of administrations on broad bases, by such means, they could never be realized.—These noble lords had had the fairest propositions made to them, but they would not throw aside their prejudices, either for the good of their country or for the service of their sovereign. Lord Chesterfield had laid it down over and over again, that where a man begun to truckle about places he was no patriot. In this case the country would support the men placed at her head in opposition to an oligarchy, the very worst of all governments—a government of ten cardinal Wolseys, instead of one. He desired them, if they chose, to go back to their constituents, and was sure they would not have twenty votes in the country. Neither their principles, nor these sort of motions, were necessary, and they ought to be resisted. If they thought themselves better than the ministers appointed, let them attack their measures, and put themselves in their places if they could—but he was convinced the country and the House would support the present government against all such attacks.

Mr. *Martin*, of Galway, thought the Prince Regent had done all that was possible to fulfil the Address of the House, and if he had been frustrated, it was owing to the persons with whom he was obliged to treat. The call made on his Royal Highness to dismiss his houshold in the manner it had been made, was, in his opinion, to insist upon his stultifying himself, and giving a colour to all the base charges that had been circulated to the prejudice of his servants.

Lord *Castlereagh*, at that late period of the night, would not trespass long upon the House. If the question rested on the comparative merit of the different addresses that had been proposed, that subject had been so satisfactorily argued, that he would not have risen on the occasion; but there were one or two points connected with the transaction so accurately detailed by the right hon. gentleman, on which he wished to make some remarks. In commenting on transactions of such a delicate nature, he would be cautious not to aggravate the differences of public men, or to widen breaches, injurious to the welfare of the state. With respect to the original motion, the expressions which it contained were unexceptionable. He concurred in the sentiment of every member of that proposition. In the first place, the thanks to the Regent for his gracious attention to the express wishes of the House; in the second, the regret that his Royal Highness had not found it possible to form a more comprehensive administration. To all this he would have no hesitation in being a party, and to the further expression of hope, that his Royal Highness would avail himself of any opportunity that might occur for strengthening his present administration. But when it came to be asked, with what motive this Address was moved, he put it to the House, if the obvious import of it was not calculated to throw a shade over the administration, which (subject to the view of parliament) was charged with the fate and the interests of the country. The Address was uncalled for by any message from the crown. It could lead to no practicable result. Its only effect would be to bring the administration under the insinuation, founded on its external structure and not on its conduct, that it was not likely to possess the confidence of the country. He trusted, therefore, that the hon. gentleman would withdraw his motion—for he could not conceive it possible that the House, by adopting it, would sanction it for no other purpose but to disqualify the government from executing the arduous task in which they had engaged. With respect to that administration, whatever might have been their public services, they certainly had not shewn any disposition to stand between the crown and the people.—All parties, it was confessed, had acted, during the late transactions, with the greatest liberality. Three or four distinct negociations had failed, and the crown was obliged to call on the present administration to charge itself with the affairs of the country. It was his consolation that while on the one hand he and his colleagues had never stood between the crown and the people; so on the other hand they had never shewn a disposition to shrink from the discharge of public duties, deterred as they otherwise might be by the accumulated difficulties which the late transactions had occasioned. Ministers were ready to do all that was required of them, trusting that parliament would give them fair and full confidence.—They wished their conduct to be judged by their acts, in order that they might receive the support of parliament if they were deserving of it, and if they were not, that they might bow to the decision of the House. He hoped that the late transactions would induce the House not again to push the principle which they had so strongly asserted. Those must be blind who could not see the calamitous consequences which the occurrences of the last three weeks were calculated to produce on our foreign and domestic relations. For although the sentiments manifested in the various negociations had been honourable to all parties, he could not held thinking that the mode which seemed to be in practice in modern times of forming an administration, was most injurious, and might be fatal to the interests of the country. Never, in ancient times, had a negociation between public men been exhibited to the eye of parliament and the country at large, and exposed to all the invidious comments which the malignity and the ignorance of mankind passed upon them. For his part he could never augur well of any negociation in which two men could not approach each other in a private room, although on public principles, without coming armed with pen and ink, and prepared to allow every thing they might utter to go forth immediately for the judgment of the public. After the termination of such a negociation, it had been common for something of the proceedings to be made public, but never till of late had it been the practice of those who were forming an administration, to submit their propositions and intentions to the public while yet they were but in progress. The consequences of such conduct, as developed in the present instance, would, he trusted, have the effect of preventing the recurrence of such scenes for the time to come. He had now to speak to that part of the late transactions with which he was connected. He had waited on his Royal Highness on the night of the 21st, to report to him the proceedings in parliament, previous to his Majesty's ministers giving their advice on the subject of that vote: and from that night, till he and his colleagues were recalled to their offices, excepting in the circle at the levee, he had never seen the Prince. He had only been connected with the negociations when the marquis Wellesley invited the members of the late cabinet to form an administration. It was a painful task for him to speak on this subject, but he disclaimed every thing like personal animosity to the noble marquis. He trusted it was not necessary to go through the whole of the detail, as the circumstances must be fresh in the memory of the House. The paper which had been published, he understood to have been published without the consent of the noble marquis; but after such a paper had appeared, describing the late minister and those who had acted with him, as the paper to which he alluded did, he would put it to the House if gentlemen situated as were his colleagues, could without degradation meet such a proposition in any other way than that in which it had been met. For the noble marquis he entertained the sincerest respect, with the highest admiration for his accomplishments and his talents; all he felt in this respect was heightened by the consideration, that he was the brother of the greatest soldier this country had produced. It was therefore a peculiarly painful task for him to be called upon to decide on such a question, as the propositions of the noble marquis brought before him; but the feelings of his colleagues were naturally such, that but one answer could be given. This he (lord Castlereagh) felt, and though he was not included in this description, yet the description given of his colleagues being unjust and inaccurate, according to his ideas, as, instead of those he acted with being persons who were incapable of rendering their country any service, he conceived them to be gentlemen eminently calculated to extricate it from its difficulties with honour; and feeling this, he must have abandoned every sense of duty if he had not been anxious to repel the charge. It was under these circumstances, that the answer given had been returned to the marquis Wellesley; but that the proposition which he had made had been rejected with any thing of personal animosity, was an idea which he trusted the House and the country would dismiss altogether. Such an idea was now, he trusted, dismissed from the breast of the noble marquis himself, for as he (the marquis) had declared that he would never again, under any circumstances, serve under his departed friend Mr. Perceval, as well might he (lord C.) accuse the noble marquis of having cherished a feeling of animosity against that illustrious character, as he (the marquis) could accuse him (lord C.) and his colleagues of such a feeling from their recent conduct. No feeling was more absent from their mind, nor more abhorrent to their nature, than a feeling like that which he had described on such an occasion. With respect to the late negociations he would say, that if there were in the first instance difficulties in forming an administration, those difficulties must be always increased, if the negociations under the eye of parliament, or of the public, were exposed in their progress to the observations of the critic. Parliament had no reason to be afraid of such negociations being privately carried on, as it would always be wiser for them to act on their public conduct, than to interfere, as they had done, in the present instance. He declared, in the English history, a proceeding so sudden, with so short a notice, was not to be found, as that which they had lately seen, when the House decided, not against a government who by their own immediate and direct conduct had proved themselves unworthy of confidence —but against an administration, of which the formation was but in progress. He hoped their conduct, in this instance, would form a precedent which future parliaments would never follow. A great deal had been said of the unconstitutional conduct of the administration, in stating that each member of the cabinet would be left to act in his individual character on the Catholic question; but really he did not see that there were any grounds for all the horror expressed by his right hon. friend and the gentlemen opposite. The gentlemen opposite who were so much struck with this arrangement, on looking closer into the business would find that it was only a plagiarism on their own conduct. In lord Grenville's administration, though the Catholic question was a cabinet measure, it was allowed to two of the cabinet (lords Sidmouth and Ellenborough) to defend their own opinions, which were in opposition to the concession; and he hoped the present government might be sheltered under the wing of such a precedent from the charge of venturing upon new principles. For himself he felt perfectly at liberty to take any course on the Catholic question which his judgment might dictate, and he had no hesitation in saying, he should be willing to go into a discussion on that subject with any man in or out of that House, that seemed to promise to lead to any practical and beneficial result. Adverting to the point on which the last negociation, that of the earl of Moira, had broken off, he would say, though he would be the last man to impute any thing of disrespect to the crown on the part of either of the noble lords, that that for which they had contended, though he would never say that it ought to be placed on any footing distant from other political arrangements, had never been contended for as in the present instance, prior to the discussion of the other arrangements. It was clear, lord Moira had understood this to be a subject of after consideration, as he had declared, "that it was impossible for him to concur in making the exercise of power over the houshold officers, a positive and indispensable condition in the formation of a government." The subject had unfortunately been taken up in a tone of harshness which the country would never countenance in those who approached the throne.

"And now, all I have to say for ministers," concluded the noble lord, "is—they claim the constitutional support of parliament, till their actions seem to speak them unworthy of it, and though the present government may not possess within itself all those attributes which we have heard given to broad and extended administrations, they have at least one recommendation to public confidence (and it is not a small one), that they have no disunion among themselves. We have no private ends to answer; we are all anxious to serve our country, to do our best, and to submit our conduct to the judgment of parliament."

Mr. *Stuart Wortley* in reply said, he had not expected any opposition from the noble lord (Castlereagh) to his motion, because that noble lord owed his re-existence as a minister to him. The late government would have been strangled in its birth had not his motion taken place; but he would acknowledge that it stood better than at its first formation in the eyes of the country. He did not think that the right hon. gentleman (Mr. Ponsonby) had cleared up the conduct of the noble lords. With respect to his motion, he did not wish to go to a division on it, because he thought he should lose both sides of the House. He should not, however, withdraw it, but suffer it to be negatived without a division, in order that it might stand on the Journals. Having said thus much with respect to his own motion, he should support the amendment moved by a noble lord, because he could not consent to tell the country by his vote that he thought the present a strong and efficient government.

Lord *Folkestone* intimated his wish to withdraw his amendment.

Mr. *Huskisson* vindicated the share which his right hon. friend (Mr. Canning) had had in the late negociations.

General *Gascoyne* expressed his intention not to suffer the amendment of the noble lord to be withdrawn.

Lord Folkestone's Amendment was then negatived without a division; after which, that of lord Milton was put, upon which the House divided—Ayes 164; Noes 289; Majority 125.

Mr. Wortley's motion being then put and negatived, the House adjourned.

HOUSE OF LORDS.

Friday, June 12.

The House met at two o'clock. The marquis of Hertford, lord chamberlain, announced the appointment of sir Thomas Tyrwhitt, knight, to the office of Gentleman Usher of the Black Rod; and sir Thomas was introduced to the Usher's seat.

The House afterwards resolved itself into a committee on the Petitions against the Orders in Council.

Protest against the Gold Coin and Bank Note Amendment Bill.] The following Protest was entered on the Journals against the third reading of this Bill:

1. Because we feel it our duty to record our disapprobation of a Bill, which in effect must make the paper of the banks of England and of Ireland a legal tender.

In America, in France, and in other countries, paper money has been thus substituted for coin; but in every instance, history informs us that this disgraceful practice was soon abandoned, from the experience of the ruinous consequences which almost immediately ensued.

We do, therefore, most anxiously deprecate the adoption of a measure, which in our opinion will prove as hostile to the interests of individuals, as it must be injurious to the character, to the credit, and to the real welfare of this mercantile country.

2. Because the regulation of the current coin, which, in every country, is an act of sovereign power, appears to us to be in effect transferred by this Bill, to the directors of the banks of England and of Ireland, who owe to the proprietors of the stock of their respective establishments, duties perfectly inconsistent with the due administration for the benefit of the public, of this royal prerogative, which is so incautiously conveyed to them.

We think ourselves therefore called upon, in the strongest manner, to censure the principle of a Bill by which this most important prerogative of the crown, for the prudent and upright exercise of which, our constitution requires that there should be a responsible adviser—is placed in hands over whom parliament has no controul, and who are alone responsible to their constituents for the exercise of a judicious activity in abusing it.

3. Because this measure must enable the bank of England, which has already acquired from the public an extraordinary profit of upwards of 18 millions, since the restriction of cash payments; and the bank of Ireland, which during that period has been more than proportionably enriched, to levy contributions to an unlimited extent on the people of these kingdoms.

We cannot therefore, without the utmost alarm, see the constitution of this country violated by the rash transfer of the power of taxing the people from parliament to the directors of two corporations, for the purpose of enabling them to add to the immoderate profits they have already acquired by the mismanagement of our government: and we do most seriously lament, that recourse should be had to this rash, improvident, and unprecedented measure, when we reflect how universally and how severely the subjects of this country already feel those burdens, which, at this alarming crisis, the necessities of the state have induced their representatives to impose upon them.

4. Because it appears to us to be the most important duty of the legislature, in all criminal legislation, to define the act it constitutes a crime, in terms as simple as they are clear, distinct and intelligible, so that none may err from mistake—that crime may be imputed to no one from misconception; and that the innocent may never be plausibly accused from motives of policy or malice.

We must, therefore, consider this Bill as disgraceful to the two Houses of Parliament—for to us it seems to enforce this unprecedented and ruinous measure by enactments, which empower the government to institute vexatious prosecutions, that must, from the terms of the enactment, prove abortive in all cases where the person accused has the means of conducting his defence—and which can alone be efficacious where fear leads the accused to decline a defence; or where poverty renders it impossible for him to undertake it.

(Signed) Lauderdale.
Rosslyn.

HOUSE OF COMMONS.

Saturday, June 13.

Reprieve or Pardon of Walter

HALL.] Mr. *Tighe* moved, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that there be laid before this House, a copy of any reprieve, or of any pardon, that may have been granted by the lord lieutenant of Ireland to Walter Hall, convicted of murder at the commission held in Dublin in February last; and also, copies of any report of the trial of the said Walter Hall, or of any other papers or documents relative to the same, that may be in the possession of the Irish government."

Mr. *Wynn* wished that some good grounds were stated to the House for its entertaining this motion; at the same time he did not object to it.

Mr. *Tighe* said, he would not have brought forward this motion, had it not been for the representations of many respectable persons. He had himself enquired into the case, and had found that there were no circumstances of palliation in it; and that the person had been pardoned in consequence of strong recommendations to the duke of Richmond. He could get no account what had become of the person, whether he had been set at liberty, or had been transported.

Mr. *W. Fitzgerald* said, that there would be no difficulty on the part of the Irish government in granting the information required. The motion was then agreed to.

HOUSE OF COMMONS.

Monday, June 15.

PETITION OF THE PRESIDENT OF THE BATH AND WEST OF ENGLAND SOCIETY, FOR A GENERAL INCLOSURE ACT.] A Petition of Benjamin Hobhouse, esq. President of the Bath and West of England society, for the encouragement of agriculture, arts, manufactures, and commerce, was presented and read; setting forth,

"That the said society, having been established as a public society for the promotion of the aforesaid objects upwards of thirty years, have been unremittingly solicitous in their endeavours to advance the agriculture of the country, as an object of the first importance to the happiness and security of an increasing population; and that, under a full conviction of the necessity of facilitating a more general inclosure and cultivation of waste and neglected lands, they presumed in 1795, and again in 1797, to address the House, praying for the enactment of a general inclosure Bill, under the powers and provisions of which the national spirit of improvement might have its full scope, and a Bill embracing such objects, after having been approved by the House in 1797, they deeply regret did not pass into a law; and that, since that period, they have seen with pleasure those facilities which have been given to the passing of local Bills of Inclosure, by certain regulations of parliament, for lessening the expence of such Bills; but although the advantages resulting from such regulations are considerable, yet the present expence of obtaining local Bills is still so great as to operate, in all cases, as a serious inconvenience, and, in many instances, even as an absolute bar to the attainment of the important points which were the professed objects of those regulations; and that the great inadequacy of our agriculture, on its present scale, to the production of a sufficient supply for the wants of the United Kingdom, together with the large extra and progressive demands for naval and foreign stores, to which the country is constantly liable, they presume to think is abundantly manifest; and that, deeply impressed with a sense of the great impolicy of neglecting our internal resources, with the difficulty and uncertainty attending costly importations of grain, while many millions of acres are suffered to remain in a comparatively unproductive state, the society have an increased and most powerful motive to renew their solicitations to the House for the manifold advantages of a general inclosure Bill; and praying the House to take the premises into their serious consideration, and adopt such measures for the furtherance of the same, as to them may seem meet."

Ordered to lie upon the table.

SINECURE OFFICES BILL.] The order of the day for the third reading of this Bill being read,

Mr. *W. Dundas* observed, that after what had passed in the House on this subject he was afraid he was addressing an unwilling audience, but he must do his duty. The Bill went to destroy those offices in Scotland which were guaranteed by the Act of Union. He asked, was it prudent to give cause of irritation in Scotland, and disturb the Union for the sake of what—of twice 2,500*l.* a year? The pensions proposed to be substituted were more expensive. It was said that sinecures were blown upon by the public, and were exceedingly odious, and ought therefore no longer to exist: but were pensions at all more popular? Sinecures were offices connected with royalty, and were things that a man might be proud to hold. Pensions were things to which a man's poverty, but not his will, would consent. He begged the House to consider, whether it was consistent with their dignity to destroy these offices, which even Mr. Burke had spared.

Mr. *W. Fitzgerald* did not mean in this stage to oppose the principle of the Bill, but thought it was not likely to be beneficial in point of economy. The hon. mover would, of course, be willing that his Bill should have as few imperfections as possible. He would point out one error. The constable of Limerick, which was mentioned in the Bill, was, he believed, an office with merely a nominal salary, and therefore not reconcilable with the purposes of the proposed enactment. As to the several offices in the Permit office, steps were already taken to regulate them, and the proper remedies had been applied. He thought the last clause of the Bill objectionable, as it went to sweep away the act of parliament made at the Union, which allowed the limited grant of 80,000*l.* per annum in pensions; he thought it unwise, and a breach of faith to legislate now in despite and violation of that act.

Lord *Castlereagh,* though he disapproved of the Bill, did not intend to take the sense of the House upon it. The hon. mover had justly allowed, that no great pecuniary relief to the country could be expected from it; but it was on constitutional ground that he (lord C.) chiefly founded his disapprobation of the Bill: it went, in his opinion, to abridge and controul too much the power of the King to confer favours and reward services. In a Bill of such magnitude there must be a number of technical errors, which, if it passed this session, might lead to difficulties to be amended by subsequent acts of parliament; difficulties which could be avoided by postponing the Bill till next session. Notwithstanding this, and his strong objection to the principle of the measure, he would not divide the House upon it.

Mr. *Ponsonby* concurred with the right hon. gentleman who spoke last but one in his objection to the last clause of this Bill, and he had stated to the hon. mover, that he could not give his support to it. In the year 1793, a settlement had been agreed upon between the Irish government and certain individuals, at that time termed the opposition, by which it was provided, that the crown should be confined in granting pensions until they amounted only to 80,000*l.* and that when they were thus reduced, they should thereafter be limited to that sum, and the crown was consequently deprived of the civil list it had possessed since the Revolution. As a party to this agreement, he held himself bound by it, since he was of opinion, that nothing could be more injurious to the public honour than the abandonment of a settlement which, when it was made, was considered most beneficial, because it appeared that subsequently a still more advantageous arrangement might be made. The spirit of this agreement, he conceived, was still binding during the life of his Majesty, and he therefore must oppose that clause; for though it had been charged on Roman Catholics, that they kept no faith with heretics; he did not wish that it should also be said, that no faith was to be kept with oppositionists.

Mr. *W. Pole* opposed the Bill on the same ground, with this addition, that the fund appropriated to the purpose of providing for widows and orphans, 1,200*l.* per annum, was found wholly inadequate to the just claims upon it, and it would be the height of cruelty and injustice to deprive the unfortunate widows and children of deserving officers who had fallen in their country's service, of this scanty allowance. At this moment it was a most heart-rending task for the Irish government to deny further aid to those who so much required it.

Sir *J. Newport,* in reply to the last observation, said, he was afraid that the right hon. gentleman confounded the Compassionate List with the Pension List; for out of the 1,200*l.* a year, an annuity was granted to sir John Shore, who had no claims, that he knew of, on the score of charity. As to the compact spoken of, it was right that one part of it should be adhered to as well as the other. Now, the 10,000*l.* which were appropriated to the buildings of the Castle in Dublin, were, contrary to the stipulations of that act, put into the privy purse, and the public was called upon to supply the money. The public, he thought, had as much right to complain as the crown. As to the principle of the Bill, he thought remuneration should accompany service, and only service. A right hon. gentleman had called pensions invidious; but they were only so when granted to persons without desert; when given for public service, they were subjects of respect, not of odium.

Mr. *Gooch* opposed the Bill.

Mr. *Browne* approved of it, as evincing a desire on the part of the House to economise the resources of the country. The hon. member was then proceeding to object to an office mentioned in the schedule, relating to the King's advocate in the West India Islands, but was informed that it was omitted.

Mr. *Courtenay* said, that in the present disposition of the House, he should confine himself to one point, on which he had been much misconceived by a right hon. gentleman (Mr. Canning). He had on a former occasion stated, that it was contrary to parliamentary usage, to interfere with the detail of the civil list, or with the hereditary revenue, without the consent of the crown, previously signified. This objection had been misrepresented as if it were intended to apply to all the places abolished by the Bill, whereas, it only applied to a few. It had, however, been answered by the hon. mover, who referred to the proceedings respecting the duchy of Lancaster in 1780. Mr. C. had again referred to the Journals, and found his former statement correct. The motion for bringing in a Bill affecting that office, had been postponed, until the consent of the crown could be obtained. The right hon. gentleman had said, that he would not support the omission of the clause respecting the Pension list of Ireland, because it took nothing away from the civil list, but simply regulated its details. Now this Bill did, with respect to the civil list of England, and the crown revenues in Scotland, actually take away the amount of the salaries of the offices named, which amount was henceforward to be added to the consolidated fund. He should give way to the impatience of the House, by abstaining from any general comment upon the Bill, only protesting against it as an unconstitutional and delusive measure.

Mr. *Martin*, of Galway, while he applauded the industry of the hon. framer, disapproved of the principle and detail of the Bill. The preamble, he said, which professed that public men should be pensioned for public services, went to badge them, as much as the poor of any parish were badged.

Lord *Cochrane* said, that no doubt could exist as to the propriety of abolishing all unnecessary offices, during the present state of the country. He was persuaded that sinecures were the bond of union which held together parties in that House, and that, if such things did not exist, much more attention would be paid to the public expenditure. He did not so much object to the expence which necessarily devolved upon the people, as he did to the influence which the power of bestowing such rewards gave to the ministers for the time being. There were some trifling alterations, however, which he was desirous of suggesting, and which he would take the liberty of mentioning. The one was the omission of the words " from and after the expiration of existing interests," and the substitution of the words, " from and after the passing of the Bill." He was also anxious that the amount of pensions should not be confined from 2 to 3,000*l.* but might commence at 1,500*l.* The noble lord then moved, That the Bill should be recommitted, in order that he might move the amendment to which he alluded.

The *Speaker* observed, that the Bill had been read a third time and engrossed, after which, according to the usual forms of the House, it could not be recommitted.

Mr. *Baring* had a strong objection to one of the clauses of the Bill, as unconstitutional; and he was surprised that the Bill had gone so far in its progress, without any notice having been taken of it. The clause which he objected to, was that which provided " that upon the falling in of certain places in the courts of justice, the crown should be enabled to distribute the amount of the fees belonging to them, among the judges as it should think proper." This appeared to him to be unconstitutional, as striking directly at the independence of judges on the executive power. The amendment which he should propose was, by adding the words, " in the proportion of their respective salaries." This would appear to him much better than the allowing the crown to make distribution as it thought fit.

Lord *Binning* was of opinion, that the perpetual consolidation of the Scotch places, in the manner proposed by the Bill, would be a violation of the understanding which existed at the time of the Union, although he would not go so far as the Lord Advocate, in supposing that all Scotland would come forward to petition for the continuance of those sinecures as their undoubted right.

Mr. *Bankes* rose to reply to the objections which had been made. As to the objection of his hon. friend (Mr. Baring) with respect to the augmentation of the judges' salaries, it had before struck him, but he did not see any easy way of remedying it. If, however, other gentlemen felt it in the same light as it had appeared to the hon. gentleman, he would not object to the amendment proposed. The difficulty which appeared to him was this, that if a very valuable part of the patronage of the chief justices was taken away, it would be the same as a considerable diminution of their salaries. Now, the apportionment of the fees of the places which at present were under the patronage of the chief justices only, and giving part of them to the other judges, would be a diminution of the profits of the situation of chief justice. It appeared to him, that that high situation was rather under paid than overpaid. There was no description of services that he thought ought to be better paid; and it appeared to him, that in the present times it would be impossible to preserve the high character and dignity of the situation without annexing adequate emolument to it. As to the objection made by the hon. gentleman (Mr. Martin), he thought that it was sufficiently answered by the preamble of the Bill. That preamble, which stated, "whereas it is no disparagement to persons who have served in the country in high situations, to receive, if they should need it, honorary rewards and pensions in consideration of their services," was copied from that of Mr. Burke's Bill. It, therefore, had appeared to others, as well as himself, that this could be no degradation. At the same time, he thought that persons in affluence, who had filled high situations, should be satisfied with the emoluments of them, and ought not to be farther chargeable to the country for pensions on account of those services. With respect to the Scotch sinecure places, it had been put to him by an hon. gentleman, whether, if there was any doubt or balance on his mind whether it was not a violation of the Act of Union, would he persist in recommending it? To this he must answer, that there was no doubt or balance of his mind upon the subject, and therefore he could not consent to take away from his Bill those great and glaring sinecures. As to the Irish sinecures and pension list, and the bargain that was stated to have taken place in 1793, he must say that he could see nothing like a bargain in the Irish act of parliament regulating the pension list. He had moved for an account merely on hearing it stated, that there was a bargain; but by that account he found that one class of payments, which the act of parliament had expressly required to be made out of the Irish pension list, was never, in fact, made out of it. He would then put to the House generally, whether a pension list of 80,000*l.* per annum was not much too great for Ireland to bear, when it was considered that a revenue could not be raised in Ireland at all equal to the annual expenditure? A right hon. friend had asked him whether he did not know that pensions were not as obnoxious as sinecures? He knew they were at present, when it was generally supposed that pensions were not the reward of merits or services, but given through mere favouritism; but when the time should come, that pensions were strictly and exclusively confined to persons who had rendered meritorious services, and who stood in need of the assistance, he had no doubt but that they would completely escape that obloquy which now attached to pensions as well as to sinecures.

On the question being called for,

The *Speaker* said, that he conceived it his duty to state, in consequence of an objection having been taken to the third reading of this Bill, from its not having received the consent of the crown, that this appeared to him not to be an insuperable objection to the third reading. After the third reading, the Bill was open to amendments; and if, in the amended form, it went to take away any part of the revenues of the crown, it would be contrary to the usage of parliament to pass such a Bill without the consent of the crown.

The Bill was then read a third time, without a division.

Mr. *Bankes* then moved as a clause "Provided always, that nothing in this Bill should be prejudicial to the rights and interests of those who are now chief justices."—This clause was brought up, and agreed to.

Sir *W. Curtis* brought up a clause, exempting the mayoralty and other courts of the city of London, from the operation of this act; which, after an observation from Mr. Wrottesley, who thought that the exemption should extend to other corporations as well as London, was agreed to.

Lord *Cochrane* then proposed the Amendment to which he referred in his speech, which was negatived without a division.

Mr. *Martin*, of Galway, next rose to submit his Amendment. He observed, that the conduct of the hon. author of the Bill called to his mind the predicament of a lover, who had so long admired his mistress, that he had made her faults his own. So was it with the hon. gentleman, he had so long dwelt upon his Bill, that whatever might be its imperfections, he was totally blind to them. Nothing could, in his opinion, be more absurd, than to confine the provisions of the Bill to such as needed assistance. He would ask the hon. gentleman if, by chance in the course of his political career, he should rise to the situation of Chancellor of the Exchequer, would he think it proper, on account of his affluent circumstances, to be debarred from accepting the pension intended as the reward of his honourable services? Was he to be put in the situation of the Apothecary, in Romeo and Juliet—"was his poverty and not his will" to be the actuating principle by which he was to be guided? He still thought the hon. gentleman would after all lose his mistress. He would find this Bill another Eurydice, and lose it at the moment he was sure of it—like another ill-fated Orpheus. 'Te dulcis conjux'—He would ultimately lose her—he might depend upon it—'Te veniente die, te decedente canebat'—(A laugh.)

The Amendment was then put, and the House divided,

For the Amendment	52
Against it	64
Majority against it	—12

Mr. *Baring*'s Amendment was then put, and negatived.

Mr. *Wrottesley* felt it his duty to take the sense of the House on the Bill, as it affected the corporation of Cursitors of the court of Chancery. He thought that body was equally entitled to exemption from its operation, as some of those to whom it had been extended. He should, therefore, propose a clause to that effect.

The *Speaker* reminded the hon. gentleman, that the present was not the proper time for receiving his clause, as the body of the Bill was now under the consideration of the House.

Mr. *W. Fitzgerald* moved, by way of amendment, the omission of the last clause in the Bill, which provided that the pension list of Ireland should be reduced to 40,000*l.* a year, and that sum not to be afterwards exceeded.

Mr. *Huskisson* really thought that the sum specified in the Bill bore a fair proportion to the present revenue of Ireland. The House, perhaps, were hardly aware, that Ireland had not a single-shilling of disposable revenue; that the whole of it was exhausted in the payment of the interest of her debt; and that she had not the means of paying, otherwise but by loan, any part of her joint contribution. Under such circumstances, the pension list now proposed, surely bore full proportion to her income.

Sir *J. Newport* declared, that not only was the revenue of Ireland inadequate to the payment of her debt, but it was so by at least half a million of money.

The House then divided, when there appeared for the motion,—Ayes 59; Noes 60.

The clause therefore stood: and the further consideration of the Bill was postponed till Wednesday.

COLONEL M'MAHON—PRINCE REGENT'S PRIVATE SECRETARY.] Lord *Castlereagh* rose to observe, that as the notice of a motion on this appointment stood for an early day, he thought it right to acquaint the House, that his royal highness the Prince Regent had been graciously pleased to direct, that the salary of colonel M'Mahon should be paid out of his privy purse. (Hear! hear!) The hon. and learned gentleman who had given the notice would, therefore, probably think his motion unnecessary.

Mr. *Ponsonby*, in the absence of his hon. and learned friend (Mr. Horner) could have little hesitation in saying, that the notice would of course be dropped.

NEGOCIATIONS FOR A NEW ADMINISTRATION—MR. SHERIDAN'S EXPLANATION.] Mr. *Sheridan* rose to give notice of his intention to bring forward a motion on Wednesday next. He was sure there was no person in the House who felt more deeply than himself how desirable it was to stand well in the public opinion; but he was also sure that no person deserved the good opinion of the public who did not also desire to protect his personal honour when called in question. He therefore took the earliest opportunity of expressing his purpose to bring forward a motion on

Wednesday next, desiring farther official information respecting the negociations which had been lately carried on for a change of administration; and he now applied to the Chancellor of the Exchequer to allow him to take an early hour on that day. He should merely make a brief statement of facts, which would lead to no discussion, and which he was sure would admit of no contradiction. After the statement which he should make, there would not be a living being, he believed, in the character of a gentleman, who would countenance any reflection on his honour or character.

Lord *Yarmouth* was aware how unparliamentary a proceeding it was to refer to any thing that had taken place on a former debate. He hoped, however, the House would permit him to say, that when he made a statement to them on a former night respecting the right hon. gentleman who spoke last, he certainly did fancy he saw him sitting in his place. As, however, that was not the case, and as what he had said had been misrepresented, he would now restate to him what he had then expressed.—[Cries of No! by a few, and a more general cry of Go on!] When the right hon. gentleman alluded to the public, he meant him (lord Yarmouth) in the public—he was not more than one in the public; and there might be persons out of doors capable of putting an unfavourable construction on his silence. He felt sure the right hon. gentleman was convinced he had not mis-stated what had passed between them; though what he had stated had certainly been misrepresented out of doors.—(Cry of go on with statement!) He could not but express his gratitude to the House for their good humour in allowing him to proceed. He should do so without more surplusage than what was unavoidable in a man not in the habit of public speaking. He should now proceed to the statement, observing, however, that he had no thought of contradicting his right hon. friend. He did state to the House the other night, and he was happy now to restate it, because it was not heard by all, an intention on the part of a portion of the houshold to resign their situations. He stated, that they had determined to resign—at least that a large number of them had determined to resign on such a change of ministers taking place as would necessarily induce a change of measures. He further stated, that they had made this determination known to the highest quarter with all possible respect, and that three great officers in particular had stated within twenty-four hours of each other this determination to those persons who might then be considered as at the head of the government; in other words, that they made their intention to quit their situations known to the political chiefs of their party. Their intention to do so was certain, though it was combated in a certain quarter of the highest respectability. With regard to what passed between his right honourable friend and himself, he would now re-state it to the House. My right honourable friend and myself, continued the noble lord, happened to meet one evening in a well known place, where we were accustomed to spend our evenings. 'I hear,' said he, 'you are all going to resign.' I said we were. 'Let me desire of you, said he, as an old friend, not to do so—take my advice and think better of it—we will talk of it, if you please, to-morrow.' I then observed 'what you say will always have more weight with me than any man in this kingdom.' Accordingly we appointed an hour next day to talk further on the subject, but as the right hon. gentleman did not come at his hour, I went out without seeing him that day. His lordship was about to proceed with his statement, when

Mr. *Sheridan* rose. He did not wish to stop any member while addressing the House; but as he had already given notice of a motion, when every person would have an opportunity of making what observations he thought proper, he submitted it to the discretion of the noble lord whether or not he ought to proceed farther with his statement at this time. If, however, the noble lord was so inclined, and the House thought fit he should now proceed, he hoped they would also allow him and any other member an opportunity of afterwards making such observations as might occur to them.

Lord *Yarmouth* was sure there could be no possible difference between himself and his right hon. friend as to what really passed. He would, however, say no more on the subject at present.

EAST INDIA LOAN.] The House having gone into a Committee of Supply,

Mr. *Wallace* rose to move the sum of 2,500,000*l.* by way of loan to the East India Company. He said he should not enter into minute financial statements;

but, as it was intended to include the vote to the East India Company in the loan for the year, he thought it necessary to assure the House of the security which existed for the repayment of the sum prayed for by the Petition. He was aware that various applications had been made by the Company during the last two years; but it should be remembered, that the loans which had been granted were the means, not only of the extension, but of the security of the territory in India. The debt under which they now laboured had arisen from no mismanagement on the part of the Company. He must also observe, that if the papers in possession of the House were looked into, it would appear that there was a material difference between the deficit and the sum now asked. The deficit was 3,500,000*l.* while the sum prayed for by the Petition was only 2,500,000*l.*; but he should be doing great injustice to the trust reposed in him, and also, to the East India Company, if he did not state that in reality, the loan actually advanced by the public had been three fourths anticipated by payments made in India for the public service. The hon. member then read, from the printed documents, various items of sums so advanced. The gross amount he stated to be upwards of four millions, which left a balance in favour of the East India Company amounting altogether to 1,600,000*l.*; so that the whole sum truly borrowed from the public, in the loan, was only 900,000*l.*; and he trusted, that in whatever state the affairs of the East India Company might be, their security was at least good for that sum. The loan, he contended, was not to burden the country, but merely to enable the Company to carry on their affairs till a complete investigation of them should take place, which must soon be done in that House. He then concluded by moving the sum of 2,500,000*l.* to be voted in the committee.

Mr. *Creevey* said, he objected altogether to the sum being voted, and that he should oppose it in every stage. The history of the Petition was curious. It was presented on Tuesday last at a very late hour, by a member of the East India Company; it was ordered to be referred to a committee above stairs. The hon. gentleman carried it there, and was himself a member of the said committee; they assembled about seven in number, and after having profoundly deliberated for five minutes upon the innumerable questions connected with the Company's affairs, they reported upon the Petition, and said that nothing could be so proper or so safe, as to lend the sum required. He hoped, however, the House would not come to a vote in the absence of all information. The Company's debt, he contended, arose as much from commercial blunders, as from wars, though the hon. gentleman wished to insinuate that the latter were the all sufficient source of that debt. The nonsensical fooleries of Petitions to parliament had been going on since 1806, and during that time, eight millions of money had been advanced to them; that was, four millions by way of loan, and four more they would be able to raise by bonds. He believed, however, that by lending such sums we were doing much more injury to the East India Company than to the state. The experiment had been tried for thirty years, and what was the result? Why, that they were by their own statements, fifteen millions worse than nothing at the present moment; and that, notwithstanding they put the best value upon all their forts, &c. making them all assets of course. It was, to be sure, an excellent thing for the East India Company to have such a comfortable ally in the government, that they could come down year after year for loans, and never be refused. It was a comfortable thing too, to be an East India director. He did not care how things went; he had his 2,000*l.* East India stock, his patronage, in the way of writerships, cadets, &c. and all was very well. Then the proprietors, also, the ladies and gentlemen composing the United Company trading to the East Indies, received their dividends, and all went on very well; and the said ladies and gentlemen assembled once a year to decide which six among them were most fit to regulate the destinies of 50,000 persons. Thus their affairs went on, and thus they would have gone on, if there had not been such a thing in this country as commercial interest, which commercial interest feeling itself a little pinched, perhaps by the Orders in Council—began to think some little relief might be found if they could send a ship or two to India. In behalf of that commercial interest alone, he thought it would be imprudent to let the money go without a further investigation of the affairs of the Company. He concluded by observing, that he should feel it his duty to resist granting one farthing of money till something more should be known than what could be learned from the sheet of paper which the hon. gentleman had used as his document.

Mr. *R. Thornton* observed, that the hon. gentleman must have been unintentionally misinformed respecting the Company being fifteen millions worse than nothing at the present moment. At the same time, he could not but compliment him upon the good humour he had displayed; a good humour not very usual with him, when speaking of the East India Company's affairs. Year after year he had been using a warning voice on the subject. He was a sort of *memento mori;* but though he (Mr. Thornton) had no doubt that the East India Company, like every thing mortal, would have its end, he would give it rather the Spanish benediction, "May you live a thousand years!" He admitted they had often been relieved, but they had shewn themselves honest debtors, and had paid what they owed. The truth was, it was wonderful they had struggled as they had, for the whole period of their charter had been one of continued war. It was no less true, however, that they had now conquered every thing in India that was to be conquered; and at a very great expence they had acquired the quiet possession of a country which produced 16,000,000*l.* of revenue. It should be remembered also, that they, the East India Company, paid four millions yearly to the revenue of the country, and that was a sum not to be sneezed at. The directors, he contended, had not been to blame in any thing they had done. The present estimate was complained of on the ground of its not having been referred to the Committee of Supply. It was not, however, from any commercial blunders that the present demand proceeded. The Company had long been pouring in large contributions to the Exchequer, and he joined in the wish that the time might not be far distant when the affairs might be thoroughly examined.

Sir *T. Turton* said, that when so large a sum as that of 2,500,000*l.* was required by the East India Company, he expected that some reason would be given to shew the House that justice had been done to the public by stating the grounds for this advance. But they said this sum was not asked as a loan, for that all above 900,000*l.* was owing to them. He thought the Company ought to shew their debtor and creditor account, and prove how that fact really stood. The territory of the Company he considered as no security: the conquests they had made were not those of the Company, but of the country; and he prophesied, that whether they were wrested from us in the arbitrary way we had seized them, or whether it remained as they were now, we should never receive any benefit from them. The Company were coming to the House for one loan after another, and he thought it was the duty of the House to make a stand, and to consider the interests of the public as well as those of the Company; for which reason he could not agree to the vote.

Mr. *Grant* denied that the Company owed one farthing to the government; on the contrary, they were creditors, and that to a very large amount. The ground of the present application was this; ever since the institution of the Board of Controul, the Indian government had been the joint concern of the Company and the British government. Since that period, more than 20 millions of debt had been contracted in support of various wars. This was altogether a territorial debt, and had no connection with the Company's commerce. About 10 years ago, a principle entirely new was introduced into the system of borrowing in India. About 15 millions was raised upon bonds, stipulating the repayment of the principal within a limited period in England. It had been stated by a noble lord at the head of the Board of Controul, in 1803, that at the period when these bonds should become due, means would be required to enable the Company to discharge them; and no objection was then made to the principle. A great part of the debt had, however, been made payable in India, and a portion of it was to be liquidated at home. Compared to this country, India was certainly in a state of comparative prosperity, as her whole debt did not exceed two year's rent. As to the accounts not being more full, the papers had not yet arrived from abroad; but he had heard the hon. gentleman complain, on former occasions, of the documents being too voluminous. He was sorry that nothing would please him. He again denied that the Company were in debt to government. They had only, in the last nine years, borrowed one million and a half, and this they had already paid off. With respect to the notion of the Company being lessees, this was to his judgment an entirely new idea.

Mr. *Huskisson* submitted to the Chancellor of the Exchequer, whether it would not be desirable to make a sinking fund of 1 per cent. or some other sum that should be adequate to redeem the present loan, in the course of the new term to be granted to the Company by the renewal of their charter, which he saw no reason to suppose would not be made next session.

The *Chancellor of the Exchequer* (Mr. Vansittart) agreed as to the propriety of a sinking fund being provided; and said, that it must also be considered, that there was always a running account between the Company and government, which being chiefly for war expences, it was highly desirable should be brought into the regular accounts of the army and navy. This was the intent of government, but it was impossible to effect it at present.

Mr. *Howorth* said, that he was well aware that the present embarrassments of the East India Company did not arise out of their ordinary commercial concerns, but were occasioned by demands of India debt made upon their treasury here, by creditors holding securities, which gave them the option of being repaid in England. He said, that the funds of the government in India were derived from their territorial revenue, supplies from Europe in exports and bullion, and from bills drawn on England; these funds were applied to defray all the expenditure incident to the combined operations of government and commerce, and to disburse all political charges, and provide investments for Europe. Whenever the funds were insufficient for their purposes, the governments in India did what all governments do, raise money on loans: about the year 1798, they borrowed money for 10 years, giving the lender the option of being repaid in India or in England at the expiration of that period; and it is this description of debt which now presses upon the home treasury, and for which they have no means of providing but by aid from the public purse, and it is very extraordinary, that with debts actively accumulating, trade annually diminishing, with this description of debt hanging over them, and a certainty that it would of necessity be brought to the home treasury, unless otherwise provided for, that those entrusted with the superintendance of the affairs of India, should have brought forward no one measure, should have had recourse to no one expedient whatever, to avert these difficulties, knowing too, that the near approach of the expiration of the charter would necessarily weaken the credit of the Company: Why has there been no attempt to fund this Indian debt? Why has not the suggestion of the hon. member (Mr. Huskisson) who spoke early in this debate been adopted? My present object however is, to ask the right hon. member of the Board of Controul, whether the two millions and half now required, will be sufficient to enable the East India Company to meet all the demands which may be made upon them, on account of these optional loans, or whether there will be any further claims brought forward which may require another application to parliament?

Mr. *W. Smith* said, he had no doubt but the country would always meet the Company with liberality, but the House ought to be on their guard, and not to give 2,500,000*l.* at this moment before the terms of the renewal of the charter were settled. If they did so, it was clear the Company would want 3,500,000*l.* more, and if the House should object to it, the Company would perhaps, say that they must be ruined. If the country owed any thing to the Company, let them come with their debt and receive remuneration; but while the Company paid themselves a dividend of 10 per cent., they ought in justice to pay the public the interest of this loan.

Mr. *Wallace* said, that all he desired was, to give the Company the power of going on till the Charter should be settled.

Mr. *Howorth* observed, that it would have been much more fair and candid to have brought forward at once a full and complete statement of the whole of this probable demand outstanding, instead of resorting to those temporizing expedients session after session, to eke out as it were the lingering existence of an expiring charter.

Mr. *R. Thornton* said, the truth was, the Company had advanced money to government; they had had one loan which they had repaid: they had at this moment in their warehouses, goods to the amount of 4,700,000*l.* and if their ships of this year came home all safe, they should have goods amounting in value to 11 million.

The House then divided; For the Loan 74; Against it 8. Majority 66.

HOUSE OF COMMONS.

Tuesday, June 16.

AMERICAN LOYALISTS' PETITION.] Mr.

Lockhart withdrew his motion, which stood for this day, relative to the claims of the American Loyalists on this country. In doing this he observed, that the course he pursued was by no means dictated from any feeling of the injustice of the claims in question; he was simply guided by motives of policy, and should, at an early period of the next session, bring the matter before the House.

AMERICAN SEAMEN.] Sir *F. Burdett*, in rising for the purpose of presenting to the House some Petitions from certain individuals in Lancaster Castle, took the opportunity of mentioning to the right hon. gentleman opposite, connected with the Admiralty, that he held in his hand a letter, which he had received from a person who stated his name to be Williams, a native of Long Island, and who complained that having come to London, he was impressed, and sent on board the flag-ship at the Nore, being an American, however, he refused to enter the service, and got away; he was afterwards taken as a deserter, and was now on board the Enterprise off the Tower. He merely mentioned this circumstance with the view that some enquiries might be made into this transaction, so that if the man was really an American, he might meet the indulgence to which that circumstance entitled him.

PETITIONS FROM PRISONERS IN LANCASTER CASTLE.] Sir *F. Burdett* rose to submit to the House, Petitions from certain Prisoners confined in Lancaster Castle, complaining of grievances which were fully detailed in their Petitions. He did not mean to presume to countenance any imputation on the officers of the gaol in question:—the Petitions were put into his hands, and without pledging himself to their contents he was simply desirous of urging the necessity of some enquiry into their contents. The first was from a person named William Goulden. Having brought up the Petition, it was read; and on the motion for its being laid on the table,

Mr. *Blackburn* said, that he held in his hand a letter from the town of Lancaster, which stated, that in consequence of the complaints that had been made against the jailer of the Castle, a special session had been appointed to enquire into his conduct, which was attended by the majority of the most respectable magistrates in the county; and the result of their enquiry was, a unanimous approval of the whole of his conduct, and a complete acquittal from all the malicious imputations which had been cast upon his character. The hon. gentleman here read the report of the court in question, which, after completely refuting the accusation contained in the Petition, presented on a former night, proceeded to lament, that there were certain persons in the Castle, and amongst others Jacob Wardle, Wm. Mollineaux, and Wm. Goulden, who had evinced a disposition to resist all those laws upon which the good government of the prison required, and had proceeded to such lengths as to induce the court of magistrates to deprive them of the allowances which had been made by the county for the comfort of men in their situation. The greatest proportion of the prisoners, however, conducted themselves with becoming propriety, and paid a voluntary tribute of respect to the humane and generally indulgent conduct of Mr. Higgins, the jailer, who for 30 years had held that situation, with a character unimpeached by the most trifling charge. A copy of these proceedings had been sent to all the magistrates, and to the members of the county, and having received one himself, he thought it but proper that he should submit it to the House.

Sir *F. Burdett* did not mean, as he said before, to pledge himself to the truth of the Petition in question. He could not comprehend, however, how the magistrates had the power to deprive prisoners for debt of the allowance which the county had thought proper to make, in order to increase their comforts. But as the matter was likely to undergo future discussion, he would reserve himself until that opportunity of delivering his sentiments arrived.

The House then divided: for bringing up the Petition 25; Against it 49.

MR. BROUGHAM'S MOTION ON THE PRESENT STATE OF COMMERCE AND MANUFACTURES—AND FOR THE REPEAL OF THE ORDERS IN COUNCIL.] Mr. *Brougham* rose and spoke as follows:

Sir; I rise to bring before the House a proposition regarding the subject which has recently occupied so large a share of our attention—the present state of trade and manufactures, and the sufferings of the people of England. And I am confident that I shall not be accused of exaggeration when I say, that it is by far the most interesting and momentous topic which can at this crisis engage the attention of parliament. After six weeks spent in the enquiry—after a mass of evidence unparalleled in extent has been collected—the time is at length arrived, when we are called upon for the result of our investigation, for our determination in behalf of the country, and our advice to the crown upon the mighty interests which we have been examining. But while I dwell upon the importance of this subject, I am by no means disposed to follow the practice usual upon such occasions, and to magnify its extent or its difficulty. The question is indeed one of unexampled interest, but of extremely little intricacy. Its points are few in number—they lie within a narrow range—they are placed near the surface—and involved in no obscurity or doubt. Its materials are only massy in outward appearance, and when viewed at a distance. There seems to be a huge body of details. This load of papers—these eight or nine hundred folios of evidence—together with the bulk of papers and petitions lying on your table, would naturally enough frighten a careless observer with the notion, that the subject is vast and complicated. Yet I will venture to assert, that I shall not have proceeded many minutes, before I have convinced not only those who assisted in the labours of the committee—not those merely who have read the result of the enquiry on our minutes—but those who now for the first time give their attention to the question, and come here wholly ignorant of its merits, that there has seldom been a subject of a public nature brought before this House, through which the path was shorter and surer, or led to a decision more obvious and plain.

There is however, Sir, one task which meets me in the outset, and one of so painful a nature, that I would fain recede from it. It is my severe duty this night to make you acquainted with the distresses of the people, and principally of the lower orders—that is to say, the most numerous and industrious classes of our countrymen. To handle the question without entering into these afflicting details, or to travel amongst them without the deepest uneasiness, would require an ingenuity or an insensibility which are equally foreign to my nature. For to whom could the scenes which we positively witnessed in the committee be so distressing, as to those, whose anxiety for the welfare of the lower orders, impelled them to devote their days and nights to the labours of the inquiry? And it is now my hard task to give those who were not there to see and hear, some idea of what passed before our very eyes—the strange and afflicting sight of respectable ancient men, the pillars of the trade and credit of the country, coming forth to lament, not that they saw wasting away beneath the fatal policy of our government the hard-earned fruits of their honest and industrious lives—not that they were approaching to old age stripped of the support which they had been providing for that season—but because they no longer had the means of saving from absolute want the thousands of unhappy persons dependent upon them for subsistence—because they had no longer wages to give the thousands, who were eager to work for any pittance to sustain life—because, having already exhausted their whole means, all the accumulations of their lives, in the charitable offices of employing those poor people, they were now brought to the brink of that dreadful alternative, either of leaving them to perish, or of shutting their ears to the wants of connections that had still stronger claims. These are things which I cannot pass over; but I willingly delay entering upon them for some little time; and at present I should prefer calling your attention to more general circumstances, which less directly, though with equal force, prove the unexampled calamities of the times.

And here, Sir, I do not allude merely to the numerous Petitions preferred to parliament, setting forth the distresses of the country, and praying for a repeal of the Orders in Council. I will not dwell upon these, nor ground my inferences upon them. And yet I well might avail myself of such an argument on the present occasion. For if the system was adopted for the express purpose of relieving our trade and manufactures, what better proof of its inefficacy, than the loud and general complaints of our merchants and workmen against it? If the very ground and justification of those measures has always been the necessity of affording relief to the commerce and industry of the country, what can be more in point, while they are urging the merits of the plan, than the fact, that Yorkshire, Lancashire, and Warwickshire, all the great districts of our manufactures, joined formerly in expressing their fears of the relief you were offering them; and now, after four years' trial of its virtues, loudly pray to be saved from such a remedy, imploring you for pity sake to abandon them to the hostility of their enemies, and spare them the merciless kindness of the protection under which they are groaning? Yet I will forego whatever support the cause may derive from the fact of these Petitions, in order to dwell upon the more indirect and unexpected, and therefore wholly unsuspicious testimony, which it derives from other quarters. I would beseech the House to cast its eye abroad upon the various projects for obtaining relief, to which of late the people have in different parts of the country had recourse—the attempts and devices to which, in the restlessness of their sufferings, they have been resorting with the vain hope of shifting or shaking off from them the load of calamity under which they labour. Some of those schemes, I know, are most inadequate to the object—some are nugatory and absurd—some are positively hurtful to them, and deserving of reprobation. But they all proceed from the feverish uneasiness, the impatience of rest, which forms an undoubted symptom of the prevailing malady. Take, for example, the disorders which in different districts have given rise to short-sighted attacks upon machinery and other private property. Of these it is impossible to speak without blame; but when we reflect on the misery which brought on this state of violence, it is hard to avoid mingling pity with our censure. Another remedy, as short-sighted, though unhappily perfectly legal, I have myself had occasion to see attempted in the course of my professional employment—I mean the applications which numerous bodies of manufacturers have made to courts of justice, for enforcing one of the most impolitic laws on the statute-book, the act of Elizabeth, requiring magistrates to fix the rate of wages; a law which has been absurdly permitted to subsist on the pretence that it was not likely to be acted upon, and which, as might have been expected, stands ready to promote mischief at the moment when it may be most dangerous, without the possibility of ever doing good. A third expedient has been thought of, in application to this House for the abolition of sinecure places, or the appropriation of their profits to the expences of the war. Of this remedy I by no means think so lightly as some do; it would indeed only afford a trifling relief, but it would go far to prevent the recurrence of the evil, by diminishing the interest of many persons in the continuance of hostilities, and would disarm, I believe, some of the most warlike characters of the time. But I would particularly entreat you to consider the numberless Petitions from almost every part of the country which now crowd your table, against continuing the East India Company's monopoly. That some of those applications are founded in the most just and politic views of the subject I am far from denying; that the great and once opulent city of Liverpool, for instance, the second in the empire, would derive material relief from that participation in the East India trade, to which it has undoubted right, cannot be doubted; and Glasgow, Bristol, and one or two other places, are in the same predicament. But is this the case with all the other towns, I might almost say villages, which have preferred the same prayer to us in equally urgent terms? Is it the case with any considerable proportion of them? What think you, Sir, of places demanding a share of this trade, which have neither commerce nor manufactures? I will give you a specimen of others which have something to export, but not exactly of the quality best suited to those Eastern markets—One district has petitioned for a free exportation to the East Indies, which to my knowledge raises no earthly produce but black horned cattle. The potteries have demanded permission to send freely their porcelain to China, and the ancient and respectable city of Newcastle, which grows nothing but pit coal, has earnestly entreated that it may be allowed to ship that useful article to supply the stoves and hot-houses of Calcutta. All these projects prove nothing less than the competence of their authors to find out a remedy for their sufferings; but they do most distinctly demonstrate how extensive and deep-seated the evil must be, and how acute the sufferings which seek relief from such strange devices. They remind one of the accounts which have been handed down to us of the great pestilence which once visited this city. Nothing in the story of that awful time is more affecting, than the picture which it presents of the vain efforts made to seek relief; miserable men might be seen rushing forth into streets, and wildly grasping the first passenger they met, to implore his help, as if by communicating the poison to others they could restore health to their own veins, or life to its victims whom they had left stretched before it. In that dismal period there was no end of projects and nostrums for preventing or curing the disease, and numberless empirics every day started up with some new delusion, rapidly made fortunes of the hopes and terrors of the multitude, and then as speedily disappeared, or were themselves borne down by the general destroyer. Meanwhile the malady raged until its force was spent; the attempts to cure it were doubtless all baffled; but the eagerness with which men hailed each successive contrivance proved too plainly how vast was their terror, and how universal the suffering that prevailed.

So might I now argue, from the complaints and projects which assail us on every hand, how deeply seated and widely spread is the distress under which the people are suffering; but unhappily we have to encounter its details in many other shapes. Although it is not my intention to travel through the mass of evidence on your table, the particulars of which I may safely leave to my hon. friend, (Mr. Baring) who has so laudably devoted his time and abilities to this investigation. Let me only, Sir, remind the House of the general outline of the enquiry. We have examined above a hundred witnesses, from more than thirty of the great manufacturing and mercantile districts. These men were chosen almost at random, from thousands whom we could have brought before you with less trouble than it required to make the selection; the difficulty was to keep back evidence, not to find it; for our desire to state the case was tempered by a natural anxiety to encroach as little as possible on the time of the House, and to expedite by all means the conclusion of an enquiry, upon the result of which so many interests hung in anxious suspence. In all this mass of evidence there was not a single witness who denied, or doubted—I beg your pardon, there was one—one solitary and remarkable exception, and none other even among those called in support of the system, who even hesitated in admitting the dreadful amount of the present distresses. Take, for example, one of our great staples, the hardware, and look to Warwickshire, where it used to flourish. Birmingham and its neighbourhood, a district of thirteen miles round that centre, was formerly but one village, I might say one continued workshop, peopled with about 400,000 of the most industrious and skilful of mankind. In what state do you now find that once busy hive of men? Silent, still, and desolate during half the week; during the rest of it miserably toiling at reduced wages, for a pittance scarcely sufficient to maintain animal life in the lowest state of comfort, and at all times swarming with unhappy persons, willing, anxious to work for their lives, but unable to find employment. He must have a stout heart within him, who can view such a scene and not shudder. But even this is not all, matters are getting worse and worse; the manufacturers are waiting for your decision, and if that be against them they will instantly yield to their fate, and turn adrift the people whom they still, though inadequately, support with employment. Upon your vote of this night the destiny of thousands in that district alone depends; and I ask you before you give it to tell me what must become of those thousands, or of the country in which they shall be turned loose? I am aware that the language I use may be misinterpreted—it may be perverted into a threat; but I speak of incontrovertible facts from the evidence before you, when I affirm, that if you this night say "No" to the Petitions against the Orders in Council, you let loose upon the country thousands and thousands—I will not say of riotous, or disorderly, or seditious, or even discontented people—but only of hungry men, who must either find food or perish. Look now to Yorkshire—to the clothing country. The late Chancellor of the Exchequer, in the only conversation I had the honour of holding with him upon this question, was very confident that the case of the petitioners would fail in these districts; you have proved it, said he, as far as respects hardware, but you will do nothing in the woollen trade. Sir, we have now gone through the case, and how stand the facts? It is still stronger with respect to the clothing than the hardware! It is more various in its features and more striking in the result, because the trade is more extensive, and employs both larger capitals and a more numerous people. One gentleman tells you that he has 20, another 25,000*l.* locked up in unsaleable, unprofitable stock, which load his warehouses. A third has about 30, and a fourth no less than 90,000*l.* thus disposed of. In the warehouses of one merchant there are 80,000*l.* worth of cottons, and in those of another at Liverpool from 2 to 3,000 packages, chiefly woollens and cottons, valued on the lowest computation at

200,000*l.*, every article of which was destined for the American market, and can find no other vent. In the West Riding thousands have been thrown out of all employment; but this is nothing compared with the fearful apprehensions which are there entertained, if you this night refuse them relief. I pass lightly over this ground—but the fact is known that in that populous country, the applications to the parish officers have so alarmingly increased, that they have given repeated warnings to the master manufacturers, and I believe to the higher authorities, of their utter inability to relieve the increasing distress, or to answer for its consequences. Among other circumstances which marked this part of the case, there was one peculiarly affecting to every one who heard it.—It had been proved that at Kidderminster, where the great carpet manufacture is almost entirely destroyed, the wants of the poor became so pressing that they were forced to part with their little stock of furniture, which used to make their cottages in some degree comfortable, and even the clothes off their backs, to raise food, until the pawnbrokers, having already loaded themselves with such deposits, refused to issue any more tickets. But at Sheffield, the same feature recurred in an heightened and still more striking form. The workmen in the cutlery trade, unable to obtain any longer their usual market, from the master dealers and merchants or brokers refusing to purchase any more, were compelled to pawn their articles at a very low valuation, for money, and even for food and clothes—so that this extraordinary state of things arose—the pawnbrokers came into the London market with the goods, and there met the regular dealers, whom they were able greatly to undersell; in such wise as to supply in a considerable degree the London and other markets, to the extreme augmentation of the distresses already so severely pressing upon this branch of trade.

I might detain you, Sir, in an endless repetition of this same tale of misery, through its different shapes, were I to describe its varieties in the other districts to which the evidence applies; but I shall only refer to the cotton trade; and that, not for the sake of stating that here too the same picture was presented of capital locked up—men of great nominal wealth living without income—trading, or seeming to trade, without profits—mumberless workmen dismissed—those who remain employed earning only half or quarter wages—parish rates increasing—charitable supplies failing, from the reduced means of the upper classes, and the hourly augmented claims upon their bounty—and the never-ceasing feature of this case in all its parts, the impending necessity of instantaneously disbanding those who are only now retained in the hopes of your favourable decision; but I would draw your attention to the cotton districts, merely to present one incidental circumstance which chanced to transpire respecting the distresses of the poor in those parts. The food which now sustains them is reduced to the lowest kind, and of that there is not nearly a sufficient supply; bread, or even potatoes, are now out of the question; the luxuries of animal food, or even milk they have long ceased to think of. Their looks, as well as their apparel, proclaim the sad change in their situation. One witness tells you, it is only necessary to look at their haggard faces, to be satisfied what they are suffering; another says that persons who have recently returned, after an absence of some months from those parts, declare themselves shocked, and unable to recognize the people whom they had left. A gentleman largely concerned in the cotton trade, to whose respectability ample testimony was borne by an hon. bart. (Sir R. Peel,) I cannot regularly name him, but in a question relating to the cotton trade, it is natural to think of the house of Peel—that gentleman, whose property in part consists of cottages and little pieces of ground let out to work-people, told us that lately he went to look after his rents, and when he entered those dwellings, and found them so miserably altered, so stript of their wonted furniture and other little comforts, and when he saw their inhabitants sitting down to a scanty dinner of oatmeal and water, their only meal in the four and twenty hours, he could not stand the sight, and came away unable to ask his rent. These feelings, so honourable to him, so painful to us who partook of them, were not confined to that respectable witness. We had other sights to endure in that long and dismal enquiry. Masters came forward to tell us how unhappy it made them to have no more work to give their poor men, because all their money, and in some cases their credit too, was already gone in trying to support them. Some had involved themselves in embarrassments for such pious purposes. One again, would describe his misery at turning off people whom he and his father had employed for many years. Another would say how he dreaded the coming round of Saturday, when he had to pay his hands their reduced wages, incapable of supporting them; how he kept out of their way on that day, and made his foreman pay them. While a third would say that he was afraid to see his people, because he had no longer the means of giving them work, and he knew that they would flock round him and implore to be employed at the lowest wages; for something wholly insufficient to feed them. Indeed, said one, our situation is greatly to be pitied; it is most distressing, and God only knows what will become of us, for it is most unhappy! These things, and a vast deal more, a vast deal which I will not attempt to go through, because I absolutely have not the heart to bear it, and I cannot do it—these things, and much more of the same melancholy description, may be seen in the minutes by such as did not attend the committee; or as far as I have been able to represent them, they may be understood by those who have not heard the evidence. But there were things seen in the committee which cannot be entered on its records; which were not spoken in words, and could not be written down; which I should in vain attempt to paint, which to form any idea of, you must have been present, and seen and heard. For I cannot describe to you the manner in which that affecting evidence was given. I cannot tell you with what tones and looks of distress it was accompanied. When the witnesses told the story of the sufferings of their work-people and their own sufferings on their account, there was something in it which all the powers of acting could not even imitate; it was something which to feel as I now feel it, you must have seen it as I saw. The men to whom I am now alluding belonged to the venerable society of Friends—that amiable body of persons—the friends indeed of all that is most precious to man—the distinguished advocates of humanity, justice, and peace, and the patterns, as well as promoters of all the kindest charities of our nature. In their manner of testifying to this cause, there was something so simple and so touching, that it disarmed for a season the habitual indignation of the learned father of the system (Mr. Stephen), and seemed to thaw the cold calculations of its foster parent (Mr. Rose), and his followers of the board of trade and shipping interest, (Mr. Marryatt, &c.)

Sir, there is one circumstance in these melancholy details, which I have refrained from touching upon, because it seemed always to excite a peculiar degree of soreness: I mean the scarcity. We have often been taunted with this topic. We have been triumphantly asked, "What! is the scarcity too owing to the Orders in Council?" Certainly we never thought of ascribing the wet summer, and the bad crop, to the present commercial system; but as for scarcity, I imagine there may be two kinds of it equally inconvenient to the people—a scarcity of food, and a scarcity of money to buy food with. All the witnesses whom we examined were, without exception, asked this question—"Do you recollect the scarcity of 1800 or 1801?" "Yes," was the answer, "we do remember it; the dearth was then great, greater than at present, for there were two failing crops." But when we asked, whether the distress was as great, they flung up their hands and exclaimed—"O nothing like it, for then the people had plenty of work and full wages, whereas now the want of money meets the want of food." But further, Sir, have you not taken away the only remedy for this scarcity; the only relief to which we can look under a bad harvest—by closing the corn market of America? Did we not always say, in arguing upon these measures prospectively; "Where are you if a bad season comes, and there is a risk of a famine?" Well, unhappily this calamity has come, or approaches; the season is bad, and a famine stares us in the face, and now we say as we did before—"Where are you with your Orders in Council, and your American quarrel?" Why, Sir, to deny that those measures affect the scarcity, is as absurd as it would be to deny that our Jesuit's Bark Bill exasperated the misery of the French hospitals, for that the wretches there died of the ague and not of the Bill; true, they died of the ague; but your murderous policy withheld from them that kindly herb which the providence that mysteriously inflicted the disease, mercifully bestowed for the relief of suffering humanity.

Before I quit this subject, let me intreat of the House to reflect how it bears upon the operations now carrying on in the peninsula. Our armies there are fed from America; supplies to the amount of eight or nine millions a year are derived by them from thence; the embargo the other day raised the price of flour in the Lisbon market above fifty per cent.; and when the news of this advance reached London, you heard from one witness that it occasioned in one morning, within his own knowledge, an export from this port of six thousand barrels of flour to supply tho Portuguese market. Our operations in Spain and Portugal then depend upon the intercourse with America, and yet we madly persist in cutting that intercourse off!—And is it indeed come to this? Are we never to lose sight of the Spanish war, except when America is concerned? To that contest what sacrifices have we not cheerfully made? To its paramount importance what perpetual tribute have we not been paying? Has it not for years been the grand object of our hopes as of our efforts; the centre upon which all our politics, external and domestic, have hinged; the point which regulated every thing, from the negociation of a public treaty to the arrangement of a cabinet? Upon this contest what millions of money, what profusion of British blood have we not lavished, without ever stopping to count the cost, so self-evident have we ever deemed its advantages or rather its necessity to be? Yet now are we prepared to abandon it—to sacrifice all our hopes of its future profit—to throw away every advance that we have already made upon it, because it can no longer be prosecuted without involving us in the costs and dangers of—a reconciliation with America! For this war, for this same bootless war, we hesitate not to neglect every interest, every domestic tie—to cripple, oppress, starve, and grind down our own people; but all attention to it, all thought of it, suddenly leaves us the moment we ascertain that, in order to carry it on, we must abandon an unjust and ruinous quarrel with our kinsmen in America, and speedily relieve the unparalleled distresses of our own countrymen! Now, and now only, and for this reason and none other, we must give up for ever the cherished object of all our hopes, and no longer even dream of opposing any resistance to France upon the continent of Europe—because by continuing to do so we should effectually defeat her machinations in America.

I have now, Sir, slightly and generally touched upon the heads of that case of deep distress which the evidence presents to our view; and I here stop to demand by what proofs this evidence has been met on the other side of the House? Not a question did the hon. gentlemen, who defend the system, venture to put by way of shaking the testimony, the clear and united testimony to which I have been alluding; not a witness did they call, on their part, with the view of rebutting it, save only one, and to this one person's evidence it is necessary that I should call your attention, because from a particular circumstance it does so happen that it will not be found upon the minutes, and can therefore only be known to those who heard it, by whom I well know it never can be forgotten. This man, whom I will not name, having denied that any great distress prevailed among the lower orders in the manufacturing districts, it was fit that I should examine him a little more closely, seeing that he took upon himself to contradict the statement unanimously given by the most respectable merchants and manufacturers in the country but a few days before. I therefore asked whether he meant to say, that the artisans had the same wages as usual—And then was disclosed a scene the most revolting, the most disgusting, that it is possible to conceive, insomuch indeed, that I was immediately afterwards implored by the gentlemen opposite to allow the evidence to be expunged, that it might not remain on our journals to defile them. This man in substance told us, that the people had enough of wages—that they had no right to more—that when their wages were at the former rate they had three times as much as they ought to have!—What? Did he really dare to say that the food which we had heard with sorrow described by the Lancashire witnesses was enough for the support of Englishmen—or that this miserable fare was all that the lower people of this country have a right to—the lower people to whom we owe all our national greatness? Did he venture to tell the representatives of that people—us who are sent here by them—who meet here only to consult for their interests—who only exist by and for them—that a short allowance of oatmeal and water (for such is the fact) was the fit fare for them?—[See Evidence of Mr. Wood, Mr. Bentley, &c. &c.] Sir, this man sprung, I make no doubt, himself from the same class of the community, and at any rate now became by their labour, I am ashamed to say, one of the most affluent merchants in the city of London—this loyal man, for he began his evidence with an attack upon Jacobinism, and imputed the present distresses to the seditious machinations of party men in this town, I rather think he meant to insinuate in this House—an attack which was also ordered to be expunged from the minutes —this very person standing in this Commons House of Parliament,—was shameless enough to insinuate that Englishmen must be fed low to keep them quiet; for he distinctly stated, that if you gave them more, you pampered them, or as he termed it, accustomed them to "luxuries irrelevant to their condition," and unhinged (as he phrased it in the jargon of his loyalty) "unhinged the frame of society." Sir, I yielded to the united intreaties of the gentlemen opposite, and for the sake of peace and the credit of our records, I consented to this disgraceful evidence being expunged. I now repent me of what I did; for I ought rather to have suffered the contamination to remain, that it might record by what sort of witnesses this system is upheld, and according to what standard of popular rights and national happiness the defence of the system is framed. So much, however, for the first and last attempt which was made to impeach the facts brought forward by my witnesses.

Driven from this ground, then, the right hon. gentleman retreats to his well known hold, and takes refuge in the Custom House books—in the accounts of the inspector general. I could have wished that he had brought that worthy and respectable officer himself to the bar, because then we might have learned more accurately how those returns are made up; at present we have only a meagre note of a few lines describing the errors of this proceeding. But, with respect to these returns, I must in the first place observe, that we cannot in this stage of the enquiry rely on such evidence—the period is gone by when they might have been admissible. I shall explain myself in a moment upon this point. Accounts of exports and imports are resorted to, and most properly, in order to estimate the trade of the country when we have no better data; because those accounts give something like an approximation or rough guess at the state of the trade, and are in ordinary cases the only means we have of getting at a knowledge of the state of the country in point of commercial prosperity. But when we know from other sources of the most unquestioned authority, every thing relating to this very point—when we have by actual enquiry learned in what state the commerce of the country is—when we have gone to the fountain head and seen the situation of things with our own eyes—it is idle and preposterous to run after lists of exports and imports, which are only the less perfect evidence—the indirect sign or symptom—and utterly out of time after we have examined the thing itself. We have seen that the people are starving all over the manufacturing districts, and the master manufacturers ruined; after this to produce an array of custom house figures, for the purpose of shewing whether manufactures are flourishing or not, is stark nonsense—such an array is superfluous if it coincides with the better proofs; if it contradicts them, what man alive will listen to them for one moment? But I confess, Sir, that with me, at any stage of the enquiry, the credit of those custom house tables would be but small, after the account of them which appears in evidence. The inspector himself has stated in his memorandum, that the method of making up the account of exports cannot be safely relied upon, in those instances where no payment is made; and by one of the returns it appears, that of twenty seven millions, the average yearly value of exports, only ten millions are subject to duty on exportation, and that above eight millions neither pay duty, nor receive bounty or drawback; upon this sum, at least then, all the inaccuracy admitted in his minute must attach. But the evidence sufficiently explains on which side of the scale the error is likely to lie. There is, it would seem, a fellow feeling between the gentlemen at the custom house, and their honoured masters at the Board of Trade; so that when the latter wish to make blazing statements of national prosperity, the former are ready to find the fuel. The managing clerk of one of the greatest mercantile houses in the city, tells you that he has known packages entered at 5,000*l.* which were not worth 50*l.*—that those sums are entered at random, and cannot be at all relied upon. Other witnesses, particularly from Liverpool, confirm the same fact; and I know, as does my right hon. friend the Chancellor of the Exchequer, who was present, that the head of the same respectable house, a few days ago, mentioned at an official conference with him, an instance of his own clerks being desired at the custom house to make a double entry of an article for export. After such facts as these, I say it is in vain to talk of custom house returns, even if they were contradicted in no respect by othere vidence. After shewing one such flaw in them, I am absolved from all further trouble; I am not bound to follow their details and prove them false step by step; I have shewn enough to destroy their credit as documents, and with this irreparable damage on their face, I might here leave them. But strange to tell, after all the boasting of the gentlemen opposite—in spite of every contrivance to conceal the real fact—and notwithstanding the essentially vicious mode of preparing those documents, it does so happen, that the falling off in our trade is too great even for the machinery of the custom house to sustain, or cover it over; and, with every effort to prevent its appearance, here it breaks out upon the face of the custom-house papers themselves! At first the methods I have spoken of were, no doubt, successful. When the defalcation was confined within certain limits, those methods might conceal it, and enable the ministers to delude this House and the country, with details of our flourishing commerce. But that point has been passed, and no resources of official skill can any more suppress the melancholy truth, that the trade of the country has gone to decay. I hold in my hand the latest of these annual returns; and by its details we find that, comparing the whole amount of trade, both exports and imports (which is the only fair way of reckoning), in 1809, with its amount in 1811, there is a falling off in the latter year to the amount of no less than thirty-six millions—compared with 1810, the falling off is thirty-eight millions. If we confine our view only to the export of British manufactures, we find, that the falling off in 1811, as compared with either of the former years, (for they are nearly equal,) amounts to sixteen millions. And if we take in the export of foreign and colonial produce also, the falling off in 1811, compared with 1809, is twenty-four, and compared with 1810, no less than twenty-seven millions! Then, Sir, we need not object to the evidence afforded by those papers—they make most strongly in favour of our argument—they are evidence for us, if any evidence from such a quarter were wanted—and, whatever credit you may give to the testimony by which I have been impeaching their authenticity—how little soever you may be inclined to agree with me in doubting their accuracy, and in imputing exaggeration to them—I care not even if you should wholly deny that any such flaws are to be found in their construction, and that any such abatement as I have described is to be made from their total results; I say, corrected or uncorrected, they prove my case—and I now rely on them, and hold them up in refutation of the Board of Trade, because they distinctly demonstrate an immense, an unparalleled diminution in our commerce, during the last eighteen months, and wholly coincide with both our evidence and our argument.

Of the positions advanced by the defenders of this system, one of the most noted is, that what we may have lost by its operation in one quarter, we have gained elsewhere—and that if the United States are no longer open to us, we have extended our trade in the other parts of America, and in some new European channels. To this argument, however, the returns which I have just been dwelling upon furnish a most triumphant, if it were not rather a melancholy, answer. For you will observe, Sir, that the mighty falling off, which those accounts exhibit, is upon the whole trade of the country—that it includes South America, Heligoland, the Baltic, and the Mediterranean, as well as the United States, and the dominions of France. If, therefore, upon the whole trade there has been this great defalcation, it is idle to talk of compensation and substitutes. The balance is struck—the deficiency is proved, after all the substitutes have been taken into the account, and credit has been given for them all. Every such allowance being fully made, there is still a total loss of trade in one year to the enormous amount of eight and thirty millions sterling. In like manner do these returns dispose of another famous argument—that the deficit of last year is only apparent; that it arises from making a comparison with 1810, the greatest year ever known; but that, compared with former years, there was no falling off at all. What now becomes of this assertion? The falling off in the last year, as compared with 1810, being thirty-seven millions; it is thirty five, as compared with 1809; and the deficit of exports of British manufactures is very nearly the same in both those comparisons. So much for the assertions of honourable gentlemen, and the real results of the custom-house documents.

But let us attend a little more closely to the much-boasted substitutes for our American trade, which are to be found in the Spanish and Portuguese colonies in the South, and in our own settlements in the North. Almost all the witnesses who were examined knew something of these branches of commerce; and it was the constant practice on this side of the House to ask them, how far they had found relief from them? We generally began with enquiring, whether they had tried the South American markets? And there was always the same sort of answer: it was in most cases given with an air and manner sufficiently significant, independent of the words; there was generally a something which I should distinguish by a foreign expression, if I might be permitted to use it, where we have none at home that will convey the meaning—a sort of *naiveté*—an arch and humorous simplicity, which some now present must recollect. "Try the South American market?—Aye, that we have!" Or, "Know the Brazil trade?—We know it full well!" Some who had not personal experience of it, on being asked, "Whether they knew of any others who had tried the South American trade?" said, "They never wished to know any such people, or to have any thing to do with them." Most of them told us, that their disappointments were owing to sir Home Popham's circular; and when we desired explanation, and demanded what profits they had turned on those adventures, whether twenty or only ten per cent—they said they had always lost fifty or sixty, or more in the hundred, and never sold for prime cost; frequently abandoning the goods to their fate, to save further charges in enquiring after them. Thus much appeared when I examined them; being myself no trader I could only question them generally and diffidently: accordingly, in my hands, they came off easily and safely enough—not so when the Vice President of the Board of Trade took up the tale, which he never failed to do as soon as I laid it down. Then was seen all the closeness of a practical scrutineer; he took them to task as a real merchant, dealer and chapman; he spoke to them in their own language, and rated them in a manner so alarming to them—but to my honourable friend (Mr. Baring) and myself so amusing, that even now it is some merriment to recollect the dialogue:—"What!" he would say, "did you suffer a loss from the great South American market?" "Yes," was the answer, "a loss of fifty or sixty per cent." "Indeed," said the oracle of trade, sharply enough, "why what sort of cargoes did you send?"—"Woollens," they would answer, "or flannels, or callicoes," as the case might be:—"Woollens," he would reply, "why how could you think of such a thing?—Woollens!—no wonder that you lost."—So that all comes of their bad trading, and not of the bad market.—"While you are left to yourselves," says the right hon. gentleman, "no wonder that you make a losing speculation of it: what can your ordinary traders know of such fine markets as our South Sea bubble?—Come to us—repair to our Board of Trade—let us assort your cargoes—take a hint from my noble colleague in trade (earl Bathurst) and me, who carry on the commerce of the country—come to the licence shop, and we will teach you the sure way—not perhaps of making a profit, for in these times that is not to be expected—but of reducing your losses, so that you shall only lose thirty or perhaps not more than twenty per cent on each adventure!"—But grant that these merchants have really mistaken the right hon. gentleman's grand market, and have not exactly hit upon the articles that suit it; is it nothing against this new market that none of the real traders—nobody but lord Bathurst, and his Board in Downing-street, can find out what things answer for it? Is certainty and steadiness no longer a desirable quality in trade? Are we to value commerce for its changeableness? Is variety now the great beauty of traffic? Is that line of employment for capital to be preferred which gives the most precarious returns, where the hazards are the greatest, and the obstacles the most difficult? as if the merchant was in search of amusement, or of that kind of unnatural delight which gamesters are said to take, in the risks and dangers of their unworthy occupation? Really, Sir, I speak as one ignorant of the subject, practically; I am not, like the gentlemen of the Board, an adept in the mysteries of commerce; but from every thing I had heard, I did imagine that there was some merit in the old-fashioned qualities which were conceived foolishly I imagine, and ignorantly, to distinguish a good market, and that it was nothing the worse for being accessible—plain enough to enable traders to find out what suited it—large enough not to be soon glutted—regular enough to be confided in more years than one—and gainful enough to yield some little profit, and not a large loss upon each adventure.

Then comes the other great substitute, the market of British North America, and here the same proofs of a complete glut are to be found in every part of the evidence. At first, indeed, when the people of the United States did not go hand in hand with the government, and unwillingly supported, or endeavoured to evade the prohibitory laws, it was found easy to smuggle in our goods through Canada, to a considerable amount. But this outlet too we have now taken especial care to close up, by persisting in the same measures which rendered such a roundabout trade necessary, until we exasperated the people of the United States as well as their government, and enabled the latter to take whatever steps might be requisite for completing the exclusion of our trade—those measures have been adopted—the contraband in Canada is at an end, and there is no longer that vent in British North America, which the Board fondly imagined it had so slily provided for our commerce; a vent which, at the best, must have been a most wretched compensation for the loss of the American traffic, in its direct and full course.

But, Sir, we are talking of substitutes; and I must here ask how much of the South American or European trade is really a substitute for that of the United States?—because, unless it is strictly speaking so substituted in its place, that it would be destroyed were the North American trade restored, no possible argument can be drawn from its amount, against the measures which I now recommend for regaining the market of the United States. It is pretended that the export to North America used to be much greater than the consumption of that country, and that a large part of it was ultimately destined for the consumption of South America and the West Indies; from whence the inference is drawn, that as we now supply those markets directly, the opening of the North American market would not be so large an increase as is supposed. The fact is quite otherwise. It is proved in evidence by a respectable witness (Mr. P. C. White) who has resided for years in America, and by the official returns before congress, that not above a thirteenth in value of the amount of goods sent from this country to the United States, is in the whole re-exported to South America and the West Indies; and of this not above a half can be British manufacture. There will only be then a diminution of half a million in the export to North America from this cause, and that must have been much more than supplied by the increase of the North American market since the trade was stopt. So too the markets of Brazil, and of Spain and Portugal, which are spoken of as substitutes for our North American commerce, will most unquestionably continue as at present after that commerce shall have been restored. All the deductions that we have any right to make are too contemptible to be mentioned. No proof is offered or even attempted to be given, that these pretended substitutes are in fact substitutes; that they would not continue to exist in their present extent after the revival of the branches in the place of which they are absurdly said to be substituted. Therefore I need not argue as to the extent or the excellence of these new markets. Be they ever so valuable—be they as fine as the Vice-President and his Board can dream of, my argument is not touched by them, until it be shewn, that we must lose them by restoring our intercourse with the United States.

Since the pressure then which the loss of our foreign trade has occasioned, have we discovered in the course of the enquiry any relief? The gentlemen opposite eagerly fly to the home market; and here their disappointment is, I grieve to say, speedy and signal. On this branch of the question the evidence is most striking and harmonious. In all the trades which we examined, it appeared that the home market was depressed in an unexampled degree. And this effect has been produced in two ways. Goods destined for the foreign market, no longer finding that vent, have been naturally thrown more or less into the home market so as to glut, or at least greatly overstock it. And again, those places which depended for part of their support upon the foreign market, have been so crippled by the loss of it, that their consumption of articles of comfort and luxury has been materially contracted. This is remarkably illustrated in the evidence respecting the cutlery trade; which, from the nature of its articles, is peculiarly calculated to explain both the circumstances I have alluded to. Not only do the dealers in that line find the home market unusually loaded with their goods, but they tell you that they find a much smaller demand than formerly for those goods, in all places which used to be engaged in the American trade. Evidence of the same kind is to be found touching another article of luxury, or at least comfort, the Kidderminster manufactory; and the respectable and intelligent witnesses from Spitalfields, explained fully how the diminution of their staple manufacture, from what causes soever arising, never failed to affect all the other branches of industry in that district, down to the bricklayer and common day labourer. It must be so; the distribution of wealth, the close connection and mutual dependency of the various branches of industry will not permit it to be otherwise.

While I am speaking of the home trade, Sir, I must call your attention in passing, to one species of relief which is more apparent than real, arising to that branch of our commerce out of the war and its expenditure. It is certain that at present a great part of the trade which remains to us is not a regular, lucrative, and if I may so speak, wholesome and natural trade—but a mere transference of money from the tax-payer through the tax gatherer to the manufacturer or merchant—a mere result of the operations of supply within this House, and the operations of war out of it. I speak now, not only of the three millions a year paid to the shipping interest for the transport service—nor of the vast amount of our expenditure in the peninsula and Mediterranean; which delusively augment by many millions the apparent exports of the country, but I will take an instance from the evidence and the papers on your table, and it shall be from Birmingham. Half of the trade there being now gone, there remains a manufacture, we are told, of goods to the amount of 1,200,000*l.* a year for home consumption. But this home consumption includes the demand of that great and extravagant consumer the government. The ordnance accounts shew that above 700,000*l.* are paid in one year for gun and pistol barrels made at Birmingham; so that only half a million is the real and genuine extent of the remaining manufacture. The rest no doubt relieves the manufacturers and workmen, but it is a relief at the expence of the other members of the community; and the expence goes to feed the war—to support soldiers and sailors, who in return, though doubtless they perform great and precious services to the country, yet do not at all contribute to augment its wealth, or maintain its revenues, as workmen and peasants would do if the same sums were expended upon them. A similar observation may be applied to the expences of clothing the army and navy. In Yorkshire, and some parts of Scotland, these demands have been found to constitute the bulk of the remaining trade. Their amount I know not with any accuracy, as the returns which I moved for are not yet produced; but it is easy to conjecture that six or seven hundred thousand men cannot be clothed at a very small expence. All these demands must be deducted from the account, if we wish to exhibit a fair view of the actual state of our manufactures.

Suffer me, Sir, before leaving this part of the subject, to state a circumstance, connected with the home trade, which is peculiarly striking, and argues to shew clearly, that things are in such a state that any relief obtained in one quarter must be at the expence of another. In the clothing districts, it was stated, that about a year and a half ago a considerable extension of trade had been experienced in many branches; and no sooner was the circumstance mentioned than the Vice-President's countenance brightened up, as if he had at length begun to see daylight, and the tide was really turning in his favour: so he greedily pursued the enquiry. It turned out, however, that this relief (and it was the only one of which we met with any trace during our whole investigation) was owing to a change of fashions, which about that time was introduced, the ladies having taken to wearing cloth pelisses that winter. But soon after came the sequel of the same tale; for we were examining the Spitalfields' weavers on some other points, and upon their stating that they were never so badly off as about a year and a half ago, we enquired to what this was owing, and it turned out that it arose entirely from the change of fashions among the ladies, who no longer wore silk pelisses. Thus the clothiers were relieved entirely at the expence of the weavers, and the only instance which this long and various enquiry affords of the universal sufferings being interrupted by any more favourable events—the only diminution to the distresses that is any where to be met with—is one which increases those miseries precisely in the same degree in some other quarter, equally deserving our protection and our pity.

But there is one ground which the advocates of the system always retreat to, when they are driven out of the facts, and find themselves unable either to deny the miseries which their projects have occasioned, or to contend that there are any practicable means of relief. They allow that our commerce is destroyed—they admit that the people are impoverished—but there are other considerations, they contend, which a great nation should entertain—there are more valuable possessions than trade and wealth—and we are desired to consider the dignity and honour of the country. Sir, there is no man within these walls to whom such an appeal could be made with more effect than to him who is now addressing you. Let it but be shewn to me that our national honour is at stake —that it is involved in this system—nay that it touches it in any one point—and my opposition from that moment is at an end—only prove to me, that although our trade is gone, or turned into confined, uncertain and suspicious channels—although our manufacturers are ruined and our people starving—yet all these sacrifices and sufferings are necessary for our character and name—I shall be the first to proclaim that they are necessary and must be borne, because I shall ever be the foremost to acknowledge that honour is power and substantial inheritance to a great people, and that public safety is incompatible with degradation. Let me but see how the preservation of our maritime rights, paramount as I hold them to every other consideration, is endangered by the repeal of the Orders in Council—and I sit down and hold my peace. But I now urge you to that repeal, because I hold it most conscientiously to be, not injurious but essential to the preservation and stability of those rights, and of the naval power which protects them; and I must therefore crave your leave to step aside for a while from the details in which I have been engaged, in order to remove, as I well know I speedily can, all idea of the necessity of the Orders in Council to the security of our naval rights. This explanation is due both to the question itself, to the numerous parties who are now in breathless anxiety awaiting its decision, and if I may presume to say so, to my own principles and character.

In the foundation of our pretensions as at the present time urged, I am loth to enter, because whether they are just or not, according to my view of the question, the maintaining or abandoning of them, even of the most untenable among them, is quite foreign to this discussion. I will not therefore stop to examine the value, or the justice of our claim to unlimited blockade —what is significantly termed paper blockade. I might ask, since when this has been introduced or sanctioned by even our own courts of public laws? I might refer you to the beginning of last war, when our commanders in the West Indies having declared the ports of Martinico under blockade, the highest authority in matters of prize, the lords of appeal, without hesitation decided this blockade to be contrary to the law of nations, and refused to support it. But as my argument requires no such position, as it leads me quite clear of this question, I wish not to embarrass myself at all with it, and I will freely grant every thing that can be asked upon the question of right. I will admit that we have a right to blockade, by a few lines in the Gazette, whole islands, coasts, continents, nay, the entire world and all its harbours, without sending a single sloop of war to enforce the order. This admission, I should think, is sufficient to satisfy the most blockading appetite in the House, though I perceive, by the smile of distrust on the Chancellor of the Exchequer's countenance, that it falls short of his notions. I will also pass over the still more material question, how far we have a right to blockade, for purposes not belligerent but mercantile, that is, to exclude neutrals from trading with our enemy, not with the view of reducing that enemy to submission and terminating the contest more speedily for the general good, but upon the speculation of stunting the enemy's trade and encouraging our own. Lastly, I shall say nothing of the most obvious of all these questions—how far we have a right to blockade the enemy and exclude the neutral, for the purpose of breaking our own blockade and engrossing the trade with the enemy, from which we keep the neutral out—a question ably stated the first time I had the honour of bringing forward this subject, by a right hon. gentleman on the opposite side (Mr. Canning). All these questions I pass from, however strong my opinion may be upon some of them; and I do not even stop to show what the evidence does at every step substantiate, that the Orders in Council do in no respect tend to secure any one even of those pretended advantages for our own trade over the enemy's, but I hasten to grapple with the substance of the argument on the other side, by which the Orders in Council are connected with these maritime rights, all of which I am now admitting. It is said, that if we repeal those Orders, and wave or relinquish for the present and for our own evident advantage, the rights on which they are founded, then we sacrifice those rights for ever, and can never again, happen what may, enforce them. Is it really so, Sir? Then woe betide us and our rights! for which of all our maritime rights have we not at one time or another relinquished? Free ships make free goods, says the enemy, and so say many other powers. This we strenuously deny, and we deem our denial the very corner-stone of our maritime system. Yet at the peace of Utrecht we gave it up, after a war of unexampled success, a series of uninterrupted triumphs, in which our power was extended, and France and her allies humiliated. The famous rule of the war of 1756, has had the same fate—that principle out of which the Orders in Council unquestionably sprung. The name by which it is known shews that it is but a modern invention; but it seems to have been waved or relinquished almost as soon as it was discovered; for in the American war it was given up, not only in practice, but by repeated decisions in our prize courts: I allude especially to the well-known judgments of sir James Marriott upon this point. In the last war it was also departed from, by express acts of the government in 1793 and 1794; yet, by a strange coincidence, the very person who now tells us that to refrain from forcing a right and to abandon it for ever are one and the same thing, was he who contributed more than any other man to revive the rule of the war 1756; he who gave to the world an able and learned work, certainly—but one which I deeply lament ever saw the light; I mean the tract known by the name of "War in Disguise." Another and, in my opinion, by far the most valuable of our maritime rights, is the right of search for contraband of war; it is one of the most unquestionable too, for it is strictly a belligerent principle. But have we invariably exercised it? Nay, have we not offered to give it up? Recollect the first armed neutrality, at the close of the American war; Mr. Fox was then engaged in negociating away this very right; and by a fatality as remarkable as that which I have just spoken of, this very statesman, (and a greater has never ruled in this kingdom, nor one more alive to the true honour of his country), was the very man who first extended the right of blockade, in May, 1806; and his colleagues, regulated by his principles, were the authors of the coasting blockade, the first step to the famous Orders in Council. How then can any man, who has a memory about him, pretend to tell us, that if we for a moment cease to exercise those rights, we never can again enforce them, when you find that we have not merely abstained from exercising, but actually surrendered at different times all the maritime principles which we now hold most sacred and most essential? Is it necessary always to do a thing because you have the right to do it? Can a right not be kept alive except by perpetually using it, whether hurtful or beneficial? You might just as well say, that because I may have a clear right of way through my neighbour's close, therefore I must be eternally walking to and fro in the path, upon pain of losing my right should I ever cease to perform this exercise. My hon. and learned friend (Mr. Stephen) would run up and tell me, if he saw me resting myself, or eating, or sleeping, or walking to church—"Why, what are you about? You are leaving, relinquishing, abandoning, your inviolable and undoubted right; if you do not instantly return and constantly walk there you are an undone man." It is very possible that this may be destructive of my comforts, nay, absolutely ruinous to me; but still I must walk, or my right of way is gone. The path may lead to a precipice or a coal-pit, where I may possibly break my neck in groping after my sacred rights. What then? My grand-children, long after I shall have been destroyed in preserving this claim, may have to thank me for some pleasant or profitable walk, which it seems there was no other way of keeping possession of but by my destruction. This is precisely the argument applied to the present question. I will maintain that every right may safely be waved, or abandoned for reasons of expediency, and resumed when those reasons cease. If it is otherwise—if a right must be exerted, whether beneficial or ruinous to him who claims it, you abuse the language by calling it a right—it becomes a duty, an obligation, a burthen. I say, if your interest requires the relinquishment of the rights in question, abstain from enforcing them; give them up under protest; do not abandon them; do not yield them in such a way that you may seem to acknowledge yourselves in the wrong; but with all the solemnities which can be devised, with as many protestations and other formalities as the requisite number of civilians can invent; state that you are pleased to wave the exercise of the right for the present, or until further notice; and that for your own interest, and with views of your own, you are content to refrain from enforcing this chapter of the maritime code. Their brain must be filled with whimsies, and not with ideas of right, who can imagine that a conduct like this would place our pretensions in jeopardy, or throw a single obstacle in the way of exerting on the morrow the very same rights, of which next Saturday's Gazette should contain the waiver. Always let it be remembered, that I ask no surrender, no acknowledgment—I say keep fast hold of your rights—on no account yield them up—but do not play the part of madness, and insist on always using those rights even when their use will infallibly work your ruin.

In entering, Sir, upon the discussion of our maritime system, I have been drawn aside from the course of my statement respecting the importance of the commerce which we are sacrificing to those pure whimsies, I can call them nothing else, respecting our abstract rights. That commerce is the whole American market—a branch of trade in comparison of which, whether you regard its extent, its certainty, or its progressive increase, every other sinks into insignificance. It is a market which in ordinary years may take off about 13,000,000 worth of our manufactures; and in steadiness and regularity it is unrivalled. In this respect, or indeed in any other, it very little resembles the right hon. gentleman's (Mr. Rose) famous South American market. It has none of the difficulty and uncertainty which it seems are now among the characteristics of a good trade; neither has it that other remarkable quality of subjecting those who use it to a loss of 50 or 60 per cent. unless they put their speculations and assortments under the fostering care of the board of trade. All such properties I disclaim on the part of the American commerce; it is sure and easy, and known, and gives great and steady profits. The returns are indeed as sure, and the bad debts as few, as they used to be even in the trade of Holland. Those returns are also grown much more speedy. Of this you have ample proof before you, not merely from the witnesses actually examined, who have all said that the payment was now as quick as in any other line, and that the Americans often preferred making ready money bargains for the discount; but the same thing is exemplified in the omissions of the case brought forward by the petitioners. Four years ago they told you, and proved it at your bar, that were the intercourse with the United States cut off we should lose above 12 millions, or a year and a half's payments, that being the sum then due from America to this country. Now they have no such case to urge; for they well know, that were a balance struck between the two nations to-morrow it would be considerably in favour of the Americans—so greatly have they increased in wealth, and so rapidly has this immense trade been growing, as it were, under our very eyes!

There are some political facts, which we must take as facts, because they are proved to us, without being able to account for them, or to trace them to their origin, and explain their causes. But the extent, and swift and regular progress of the American market for British goods is not of this number; we can easily and clearly account for it. In the nature of things it can be no otherwise, and the reason lies on the very surface of the fact. America is an immense agricultural country, where land is plentiful and cheap; men and labour, though quickly increasing, yet still scarce and dear compared with the boundless regions which they occupy and cultivate. In such a country manufacturers do not naturally thrive; every exertion, if matters be left to themselves, goes into other channels. This people is connected with England by origin, language, manners, and institutions; their tastes go along with their convenience, and they come to us as a matter of course for the articles which they do not make themselves. Only take one fact as an example—the negroes in the Southern States are clothed in English made goods, and it takes 40*s.* a year thus to supply one of those unfortunate persons. This will be admitted to be the lowest sum for which any person in America can be clothed; but take it as the average, and make a deduction for the expences above prime cost—you have a sum upon the whole population of eight millions, which approaches the value of our exports to the United States. But it is not merely in clothing; go to any house in the Union, from their large and wealthy cities to the most solitary cabin or log-house in the forests—you find in every corner the furniture, tools, and ornaments of Staffordshire, of Warwickshire, and of the northern counties of England. The wonder ceases when we thus reflect for a moment, and we plainly perceive that it can be no otherwise. The whole population of the country is made up of customers, who require and who can afford to pay for our goods. This too is peculiar to that nation, and it is a peculiarity as happy for them as it is profitable to us. I know the real or affected contempt with which some persons in this country treat our kinsmen of the West. I fear some angry and jealous feelings have survived our former more intimate connection with them—feelings engendered by the event of its termination, but which it would be wiser as well as more manly to forget. Nay, there are certain romantic spirits who even despise the unadorned structure of their massive democratic society. But to me I freely acknowledge the sight of one part of it brings feelings of envy, as an Englishman; I mean the happy distinction, that over the whole extent of that boundless continent, from Canada to the Gulph of Mexico, and from the Mississippi to the Atlantic ocean, there is not one pauper to be found—Such are the customers whom America presents to us. The rapid increase of their culture and population too, doubling in 25 or 30 years, must necessarily augment this demand for our goods in the same proportion. Circumstanced as the two countries are, I use no figure of speech, but speak the simple fact when I say, that not an axe falls in the woods of America which does not put in motion some shuttle, or hammer, or wheel in England. Look at Mr. Parkes's evidence and you will see, that the changes which happen in the new world, or the political proceedings of the two governments, their orders and manifestoes and negociations, may be perceptibly traced in their instantaneous effects in this country—in the increased or diminished velocity (I speak to the letter) of the wheels which are moving in the different districts where English manufactures used to flourish.

But let us merely pause upon the broad fact of the present amount of the American market, and let us keep our eye for a moment upon the numerical expression of its demand—13 millions sterling by the year! Why, Sir, only conceive any event which should give an opening in the North of Europe, or the Mediterranean for but a small part of this vast bulk—some change or accident by which a thirteenth, aye, or a thirtieth of this enormous value of British goods could be thrown into the enemy's countries! Into what transports of delight would the Vice-President be flung! I verily believe he would make but one step from his mansion to his office—all Downing-street, and all Duke's-place would be in an uproar of joy—Bless me, what a scene of activity and business should we see! What cabinets, what boards! What amazing conferences of lords of trade? What a driving together of ministers! What a rustling of small clerks! What a mighty rushing of brokers! Circulars to the manufacturing towns—harangues upon change, performed by eminent naval characters—triumphal processions of dollars and volunteers in St. James's-square!—Hourly deputations from the merchants—courteous and pleasing answers from the board—a speedy importation into Whitehall, to a large amount, of worthy knights representing the city—a quick return cargo of licences and hints for cargoes—the whole craft and mystery of that licence trade revived, with its appropriate perjuries and frauds—new life given to the drooping firms of dealers in forgery, whom I formerly exposed to you—answered by corresponding activity in the board of trade and its clerks—slips of the pen worth 15,000*l.* *—judicious mistakes—well-considered oversights—elaborate inadvertencies—Why, Sir, so happily constituted is the right hon. gentleman's (Mr. Rose) understanding, that his very blunders are more precious than the accuracies of other men; and it is no metaphor, but a literal mercantile proposition, to say, that it is better worth our while to err with him than to think rightly with the rest of mankind! And all this life, and activity, and machinery for what? To snatch at a miserable export—occasional, fleeting, irregular, ephemeral, very limited in amount, unlikely to recur, uncertain in its return, precarious in its continuance, beneficial to the enemy, exposed to his caprices, and liable by his nod to be swept at once into the fund of his confiscations—enjoyed while he does permit it, by his sufferance for his ends, enriching his subjects, manning his fleets, nursing up for him a navy which it has already taken the utmost efforts of our unconquerable marine to destroy! Good God! the incurable perverseness of human folly! always straining after things that are beyond its reach, of doubtful worth and discreditable pursuit, and neglecting objects of immense value, because in addition to their own importance, they have one recommendation which would make viler possessions desirable, that they can be easily obtained, and honestly as well as safely enjoyed! It is this miserable, shifting, doubtful, hateful traffic that we prefer, to the sure, regular, increasing, honest gains of American commerce; to a trade which is placed beyond the enemy's reach—which besides encircling ourselves in peace and honour, only benefits those who are our natural friends, over whom he has no controul, but who if they were ever so hostile to us, could not annoy us—which supports at once all that remains of liberty beyond the seas, and gives life and vigour to its main pillar within the realm, the manufactures and commerce of England!

---

* Mr. Baring had stated, that by two mistakes at one time licences were rendered so valuable, that he would have given that sum for them. See vol. 21, p. 845.

And now, Sir, look to the other side of this picture—See to what sources of supply you are driving the Americans, when you refuse them your own markets—Why, you are forcing them to be wholly dependent on themselves!—The eighteenth century closed with a course of violence and folly, which in spite of every natural tie, dissolved their political connection with the crown; and, as if the cup of our infatuation was not full, we must begin the nineteenth with the phrenzy of severing them from all connexion, and making them, contrary to the course of nature itself, independent of our manufacturers and merchants!—I will not go through the evidence upon this important branch of the case, for I feel myself already too much exhausted to attempt it, but whoever reads it will find it uniformly in every page shewing the effects of our system, in forcing manufactures all over America to rival our own. There is not one branch of the many in which we used quietly and without the least fear of competition to supply them, that is not now to a certain degree cultivated by themselves; many have wholly taken rise since 1807—all have rapidly sprung up to a formidable maturity. To give but a few examples—In New York there are now forty thousand looms going—glass is made in a way that we ourselves witnessed, for we saw the specimen produced—wool cards are now made there, which used regularly to be imported from hence—and there is a considerable exportation of cotton twist to the South of Europe, from the country which possesses the most abundantly the raw material. I say nothing of their wool and the excellent Merino breed they have obtained from Spain. Look only to one striking fact—Pittsburgh is a town remotely situated in the most Western part of the Union. Eighteen years ago it was a hamlet, so feeble and insecure that the inhabitants could scarcely defend themselves from their Indian neighbours, and durst hardly quit the place for fear of being scalped—now there are steam engines and a large glass work in the same town, and you saw the product of its furnaces—it stands on a stratum of coal fifteen feet thick, and within a few inches of the surface, which extends over all the country west of the Alleghany chain—coal there sells for six shillings the chaldron, and the same precious mineral is to be found in the Atlantic states, at Richmond and elsewhere, accessible by sea It is usual to see men on 'Change in the large towns with twenty, thirty, and fifty thousand pounds in trade—companies are established for manufactures, insurance, and other mercantile speculations, with large capitals, one as high as 120,000*l.* sterling—the rate of interest is six per cent, and the price of land in some places as high as in England. I do not enumerate these things to prove that America can already supply herself,—God forbid!—If she could the whole mischief would be done and we could not now avert the blow; but though too much has indeed been effected by our impolicy, a breathing time yet is left, and we ought at least to take advantage of it, and regain what has been thrown away—in four or five years' time it will be gone for ever.

But I shall here be told, as I often have been, that these councils spring from fear, and that I am endeavouring to instil a dread of American manufactures, as the ground of our measures—not so, Sir,—I am inculcating another fear—the wholesome fear of utter impolicy mixed with injustice—of acting unfairly to others for the purpose of ruining yourselves. And after all from what quarter does this taunt proceed? Who are they by whom I am upbraided for preaching up a dread of rival

American manufactures?—The very men whose whole defence of the system is founded upon a fear of competition from European manufactures—who refuse to abandon the blockade of France, from an apprehension (most ridiculous as the evidence shews) of European manufactures rivalling us through American commerce—who blockade the continent from a dread that the manufactures of France, by means of the shipping of America, will undersell our own—the men whose whole principle is a fear of the capital, industry and skill of England being outdone by the trumpery wares of France, as soon as her market is equally open to both countries!—Sir, little as I may think such alarms worthy of an Englishman, there is a kind of fear which I would fain urge—a fear too of France—but it is of her arms and not of her arts.—We have in that quarter some ground for apprehension, and I would have our policy directed solely with a view to removing it. Look only at the Spanish war in its relation to the American trade—in that cause we have deeply embarked—we have gone on for years, pouring into it our treasures and our troops, almost without limit, and all the profit is yet to come. We have still to gain the object of so many sacrifices, and to do something which may shew they have not been made in vain. Some great effort it seems resolved to make, and though of its result others are far more sanguine than I am able to feel, I can have little hesitation in thinking, that we had better risk some such attempt once for all, and either gain the end in view, or, convinced that it is unattainable, retire from the contest. If then this is our policy, for God's sake let the grand effort be made, single and undivided—undistracted by a new quarrel, foreign to the purpose, and fatally interfering with its fulfilment—let us not for the hundredth time commit the ancient error which has so often betrayed us, of frittering down our strength—of scattering our forces in numerous and unavailing plans—we have no longer the same excuse for this folly which we once had to urge: all the colonies in the world are our own—sugar islands and spice islands, there are none from Martinico to Java, to conquer—we have every species of unsalable produce in the gross, and all noxious climates without stint. Then let us not add a new leaf to the worst chapter of our book, and make for ourselves new occasions, when we can find none, for persisting in the most childish of all systems. While engaged heartily on our front in opposing France, and trying the last chance of saving Europe, let us not secure to ourselves a new enemy, America on our flank. Surely language wants a name for the folly which would, at a moment like the present, on the eve of this grand and decisive and last battle, reduce us to the necessity of feeding Canada with troops from Portugal—and Portugal with bread from England.

I know I shall be asked, whether I would recommend any sacrifice for the mere purpose of conciliating America. I recommend no sacrifice of honour for that or for any purpose; but I will tell you, that I think we can well and safely for our honour afford to conciliate America. Never did we stand so high since we were a nation, in point of military character. We have it in abundance, and even to spare. This unhappy and seemingly interminable war, lavish as it has been in treasure, still more profuse of blood, and barren of real advantage, has at least been equally lavish of glory; its feats have not merely sustained the warlike fame of the nation, which would have been much; they have done what seemed scarcely possible; they have greatly exalted it; they have covered our arms with immortal renown. Then I say use this glory—use this proud height on which we now stand, for the purpose of peace and conciliation with America. Let this and its incalculable benefits be the advantage which we reap from the war in Europe; for the fame of that war enables us safely to take it;—and who, I demand, give the most disgraceful counsels—they who tell you we are in military character but of yesterday—we have yet a name to win—we stand on doubtful ground—we dare not do as we list for fear of being thought afraid—we cannot without loss of name stoop to pacify our American kinsmen.—Or I, who say, we are a great, a proud, a warlike people—we have fought every where, and conquered wherever we fought—our character is eternally fixed—it stands too firm to be shaken—and on the faith of it we may do towards America, safely for our honour, that which we know our interests require?—This perpetual jealousy of America! Good God! I cannot with temper ask on what it rests! It drives me to a passion to think of it—Jealousy of America! I should as soon think of being jealous of the tradesmen who supply me with necessaries, or the clients who entrust their suits to my patronage. Jealousy of America! whose armies are yet at the plow, or making, since your policy has willed it so, awkward (though improving) attempts at the loom—whose assembled navies could not lay siege to an English sloop of war:—jealousy of a power which is necessarily peaceful as well as weak, but which, if it had all the ambition of France and her armies to back it, and all the navy of England to boot, nay, had it the lust of conquest which marks your enemy, and your own armies as well as navy to gratify it—is placed at so vast a distance as to be perfectly harmless! And this is the nation of which for our honour's sake we are desired to cherish a perpetual jealousy, for the ruin of our best interests!

I trust, Sir, that no such phantom of the brain will scare us from the path of our duty. The advice which I tender is not the same which has at all times been offered to this country. There is one memorable æra in our history, when other uses were made of our triumphs from those which I recommend. By the treaty of Utrecht, which the execrations of ages have left inadequately censured, we were content to obtain as the whole price of Ramillies and Blenheim, an additional share of the accursed slave trade. I give you other counsels. I would have you employ the glory which you have won at Talavera and Corunna, in restoring your commerce to its lawful, open, honest course; and rescue it from the mean and hateful channels in which it has lately been confined. And if any thoughtless boaster in America or elsewhere should vaunt that you had yielded through fear, I would not bid him wait until some new achievement of our arms put him to silence, but I would counsel you in silence to disregard him.—Sir, I move you,

"That an humble Address be presented to his royal highness the Prince Regent, representing to his Royal Highness that this House has, for some time past, been engaged in an enquiry into the present depressed state of the manufactures and commerce of the country, and the effects of the Orders in Council issued by his Majesty in the years 1807 and 1809; assuring his Royal Highness, that this House will at all times support his Royal Highness to the utmost of its power, in maintaining those just maritime rights which have essentially contributed to the prosperity and honour of the realm—but beseeching his Royal Highness, that he would be graciously pleased to recal or suspend the said Orders, and adopt such measures as may tend to conciliate neutral powers, without sacrificing the rights and dignity of his Majesty's crown."

Mr. *Rose* began by observing on the manner in which the question had been brought forward, and alluding to the numerous changes which had taken place in fixing days for certain discussions. He felt himself justified in saying, that the greatest number of the gentlemen present might have looked into the order book, without knowing that the discussion on the Orders in Council would be introduced that evening. The mode adopted for bringing forward a measure of such immense importance he contended to be unusual; and the consequence was, that although he had read the evidence with great diligence and attention, he found himself hardly prepared to enter fully into the discussion; and he was sure that a very grreat number of those members now present had not had sufficient time to make themselves masters of a subject so complicated and of a mass of evidence so voluminous, as it was necessary to consider upon the present question. However, called on personally as he had been by the hon. and learned gentleman in the course of his speech, he felt it his duty to address the House, although labouring under considerable disadvantage. The evidence which the honourable and learned gentleman had brought forward in support of his motion, had certainly proved (what was well known to exist), that there did prevail a very considerable degree of distress among large bodies of the manufacturers of this country. This was a fact which to a certain extent no man would dispute, and which no man could be insensible to. He was convinced, however, that there was nobody who knew him, that did not know that he felt as deeply for this distress as any other man. His whole political life would prove that he had, on all occasions, shewn sufficient commiseration for the distressed; he could not witness the misfortune, even of an individual, without lamenting it—but, when so great a body of manufacturers appeared to suffer from the exigencies of the times, sure he was, that no man, who was at all acquainted with his public character, could believe, for a single instant, that he could regard their complaints otherwise than as demanding the most prompt and serious consideration. It was, however, necessary now to consider, how much of this distress was fairly to be imputed to the Orders in Council? or how much would be removed by agreeing to the motion of the honourable and learned gentleman, which went to a repeal of those Orders in Council. He had to contend, that this distress had not been occasioned by the Orders in Council; and that those Orders had never been issued from any feeling hostile to America, but from the just principle of retaliation against France, by the violent decrees of whose government, all neutral vessels were declared to be "denationalized" that traded with this country, or allowed themselves to be visited by British cruizers. Against such Decrees it was necessary that some measures of retaliation should be adopted; and the measures which had been resolved upon for this purpose were the Orders in Council. France said, "No vessel shall be allowed to enter England from the continent: she shall be denationalised." England answered, "If that be the case, no vessel shall enter a French port, except from those of Great Britain." Notwithstanding these violent and unjust Decrees of the enemy, it was to the Orders in Council alone however, that the hon. and learned gentleman chose to attribute all the distresses which were now complained of by the manufacturers in this country.

The hon. and learned gentleman had observed with much exultation, that no witnesses had been produced to controvert the various points supported by those who opposed the Orders in Council. Now, one fact, to which he wished to draw the attention of the House was, that a strong feeling had gone abroad amongst the distressed manufacturers, a feeling which they were led to form from the opinions of those in whom they had confidence, that all their miseries arose from the Orders in Council: impressed with this idea, nothing was more natural than that these poor people should rise in one body, and exclaim with one voice and feeling, that their want of employment did originate in that source—an opinion so firmly rooted, that it was impossible to make them believe differently.—And, such numbers having declared their stedfast opinion on the subject, it became dangerous for others to come forward and give evidence in a contrary way. Even amongst those merchants of the city of London, men of respectability and character, who were examined at the bar of the House, several had stated their acquaintance with mercantile men, who, though favourable to the Orders in Council, were unwilling to give their testimony, fearful of offending those manufacturers with whom they were connected in the country, as well as their correspondents in America. Under these circumstances, it was not strange that the number of witnesses in support of the Orders should have been so inconsiderable.—With respect to the situation of the west riding of Yorkshire, the hon. and learned gentleman had painted its distresses too highly.—That distress existed there, he meant not to deny: but that distress was by no means so great as what was experienced among the manufacturers of iron. His statement was by no means consistent with the facts. He (Mr. Rose) in the progress of the hon. and learned gentleman's speech had been told, in strong terms, of his cold calculations, as connected with the board of trade. But this he would say, without fear of contradiction, that no board existed in the kingdom, more sensible of the public distress, or more anxious to alleviate it, than that to which he had the honour of being attached. But, sitting there, it was his duty to weigh every side of a question, and to do that which the circumstances appeared to demand. The hon. and learned gentleman had amused himself very much with the conduct of the inspector general of customs. He seemed to believe, that this gentleman had orders from the board of trade, to give a fictitious and colourable value to the amount of our exports.—It might be a very fine subject for jest, but the insinuation was most unworthy and most untrue. A merchant, they were told, had been positively directed to double his entry; but could any man, sitting in that House, believe—could any man assert as a fact, that such instructions could have come from the board of trade? To double the amount of the entries!—it was most improbable. The fact, with reference to the statement of the hon. gentleman, and which he had learned by a letter, since he came down to the House, was simply this:—the clerk of a respectable merchant had, in entering some goods, committed an error, by under-rating their value. As this subjected the property to confiscation, he applied for leave to renew the entry, which was granted. On this circumstance it was that the hon. gentleman had founded his charge. Of the 27,000,000*l.* of exports alluded to by the hon. gentleman, he could inform him, that, on 18,000,000*l.* there was a complete check, and on 9,000,000*l.* only could there be any uncertainty. Persons might, it was true, make declarations of exports not consistent with truth; but, of this he was certain, that they were made without any political view or object, and were not authorised by any official body whatever. But for the assertion that goods of really not more than 50*l.* value had been entered as worth 50,000*l.* though the hon. gentleman might exercise his fancy on that point, he did not believe any person could imagine he had a rational and solid foundation. And this he would repeat, notwithstanding any assertions to the contrary, that the papers which had been so contemned by the hon. gentleman, formed as fair a criterion of the actual value of goods exported as it was possible to produce. The hon. gentleman had stated the decrease in our trade, with America, at 20,000,000*l.* In this, too, he was mistaken. That decrease did not average more than between 11 and 12,000,000*l.* and, the only question was, whether, by giving up the Orders in Council, this country would not purchase the return of that portion of its trade, at too dear a rate. The hon. and learned gentleman alluded very forcibly to the manner in which he (Mr. Rose) had examined some of the witnesses. Now, he denied, and he appealed to those who were present for the truth of his statement, that he had manifested any thing like asperity during the course of the examination. Certainly he had expressed some astonishment at the selection of goods for the Brazils—cotton furniture, worsted stockings, coarse woollens, sedan chairs, and other articles, equally improper, were exported there. And, when so little judgment was shewn, it was no wonder that the trade, instead of being beneficial, should become ruinous to those engaged in it. But, on the other hand, he had received letters from those who had conducted that trade with more discernment, in which they declared, "That it was a profitable and growing trade, if properly carried on." In his opinion, some of the statements relative to the goods formerly exported to America, were greatly exaggerated. Thus, it was given in evidence by some of the witnesses, that hardware manufactures, to the amount of 1,200,000*l.* used heretofore to be annually sent from Birmingham to that country. Now, from the Custom-house books, it appeared, that the exports of hardware, from the whole of Great Britain, did not, at the periods alluded to, amount to more than 750,000*l.* The witnesses had, undoubtedly, given a contrary evidence. But was it possible that any person, residing in Birmingham, could be able to appreciate a circumstance of this description properly? Was the House to suppose that those persons were right, and the Custom-house wrong? If they were so to argue, then, instead of being over the mark, those accounts were in fact under it. The hon. gentleman had, with peculiar power, descanted on our maritime rights. He had introduced them, however, for the apparent purpose of conceding them, in the most extensive sense, to his opponents. But what was his ultimate request? "O," said the hon. gentleman, "pray give up those maritime rights!" But why should they be given up? They were not retaining those rights against America, but to protect them against the common enemy, France. "You have given them up," says the hon. gentleman, "on various occasions. They were given up after the glorious war which was terminated by the treaty of Utrecht, and, in your present plenitude of military strength, would you insist on them?" The war to which the hon. gentleman had alluded did not tend much to the advantage of this country; and those who made the peace were in such a hurry to effect it, that they did not take those calm deliberative measures which ought to characterise every negociation; and therefore, the proceeding was not perhaps very proper to be copied. "Having," said the hon. gentleman, "gained a brilliant victory at Talavera, and others in different quarters, we ought to make these concessions to America." This might be very expedient if Great Britain were at war with America, and wished to shew her magnanimity in the terms of a peace; but it did not apply here; for we should, by rescinding our Orders, be only giving way to France, whose Decrees would remain in full force, and she would then have an opportunity of recovering from those inconveniencies, which our retaliatory measures had occasioned. He disclaimed having been the author of the Orders in Council, and observed, that it was not a question in which even officially he should have a very prolonged interest, as it was not probable that he should for any great length of time continue to hold the situation of Vice President of the Board of Trade. Before he commented on the evidence, he must again regret, that time sufficient had not, in his opinion, been allowed for all the members to make themselves masters of it; and he declared, that if his Majesty's ministers could not agree to the prayer of many of the petitioners, of giving immediate relief by repealing the Orders in Council, it was not from any insensibility or indifference to the distress which existed, but from an imperious sense of their duty, grounded on the consideration which they had been enabled to bestow on the whole of the case. That gentleman from Birmingham who had dealt the most extensively in nails, and who had formerly exported from 27,000*l.* to 50,000*l.* annually, now stated in his evidence, that he did not believe that nails would ever again be exported to America in any quantity. If this were the case, would the recal of the Orders in Council remedy the distresses which existed among the workmen in that branch of trade? If some of the witnesses had represented the warehouses to be full, and that nothing was wanting but the repeal of those Orders to have a great exportation, it would be recollected that Mr. Thornhill, on the contrary, stated, that the warehouses at Liverpool were not full, but nearly empty, and that therefore the repeal could not produce a great immediate exportation. Others had confessed, that France would still be a great competitor for the American market against us; and that German ware was so decidedly cheaper, that even after paying the duty of eighteen and an half per cent. it could come into the market of South America on better terms than our iron ware. An hon. member of that House (Mr. Marryat) had given in evidence, that America could be supplied with nails from the continent of Europe on much cheaper terms than from this country. It seemed, indeed, to be perfectly acknowledged, that the export trade of this article had declined with every other part of the world, except with Ireland. Under these circumstances, it would not be just to attribute all the distresses of the workmen in this branch to the Orders in Council, or to suppose that they would be all removed if those Orders were repealed. The price of labour in this country was necessarily such, that the Germans could afford to undersell us in many branches of the iron trade. Neither did it appear to him that the wages of the persons now employed in the cotton trade, (which was allowed to be at present insufficient) could be materially increased by any effect which the repeal of the Orders in Council could produce. As to the great staple of our woollen manufacture, that appeared in many districts to be now in a more flourishing situation than had ever before been known. With regard to the silk trade, it must be recollected that there were many branches of it in which France could always undersell us in the markets of America. Having taken a review of the evidence given in the committee, he proceeded to observe, that if the Orders in Council were repealed, then the Americans would be enabled to supply France with the raw materials for many of her manufactures, which would afterwards come in competition with our own. At present the insurance to French ports in the Mediterranean and Bay of Biscay was as high as 30 or 40 per cent. which, of course, enhanced greatly the price of the raw materials. If, then, the Orders in Council were repealed, it was his decided conviction, that the repeal would give full effect to all the measures of France in favour of her own commerce and manufactures, to the detriment of our own. In order to perceive how much the Orders in Council had curtailed the commerce of France, it was only necessary to look at the accounts of the American exports to that country for 1810, given by Mr. Gallatin, as compared with those of 1804. In the latter of these years, the American exports to France amounted to near ten millions; while in 1810, they did not greatly exceed 600,000*l.* thus making a difference against France of above nine millions. It was the Orders in Council which had prevented the arrival of this American produce, and must thus have inflicted a deep wound on the commercial and manufacturing resources of France. Unquestionably, the loss of the American trade bore hard on many of the manufacturing districts; but it was, at the same time, to be considered, that other branches of our commerce had greatly increased. The Canada trade, for instance, had been doubled within the last five years; the South American trade, it appeared from the evidence, was now become profitable to the regular merchant. The Mediterranean trade had also greatly improved; and it was a well-known fact, that the merchants of London trading to that quarter, had, on a late meeting, come to an unanimous determination, that they were indebted to the Orders in Council for that amelioration, and that their continuance would be highly beneficial. They certainly were the best judges of their own interest. There was also this consideration, that if the Orders in Council were repealed, the Americans would come in for a large share of the carrying trade which this country now enjoyed, particularly to the Brazils and South America. This would most materially affect the shipping interest, which was one of the most vital importance to the country. Not an atom of evidence had been adduced to shew, that the shipping interest was at all injured by our commercial policy; and, indeed, he would assert, that it was now in a better state than it had experienced in any former year, except in 1809 and 1810, when the demand for shipping was peculiarly great. This information he had the satisfaction of affording to the House on the authority of many of the most respectable ship-owners in the kingdom. Upon the whole he was ready to admit, that the manufacturers were likely to obtain some relief from the repeal of the Orders in Council. No man was more desirous than himself of affording them that relief: but government were placed between difficulties on both sides of them, and it was their duty to consider which measures were likely to be attended with the most lasting detriment to the country. In his opinion the preponderance of the argument was, that the repeal of the Orders in Council would be much more prejudicial to the general interests of the country than their continuance. He was sorry, therefore, that it had been so sedulously impressed on the minds of the labouring manufacturers, that their distresses proceeded from the Orders in Council. If his opinion of these measures was erroneous, he was at least entitled to state, that he erred in company with the great body of merchants of this country. Four fifths of the merchants of Glasgow had petitioned in support of the Orders in Council; those of Bristol were unanimous in the same opinion; the majority of the merchants of Liverpool were the same; there was no petition from London against them: on the contrary, a great number of the London merchants had presented a petition in their favour. It was true that a gentleman connected with the house of Mr. Glennie had given evidence against them; but though he knew Mr. Glennie to be a most respectable merchant, yet it should be recollected that he was agent in this country for the American navy; and therefore it might be supposed, without any impeachment of his honour, that he had a leaning to one side of the question. It must be allowed, then, that the opinion of the great body of the merchants was in favour of the Orders in Council, and in addition to them there was the great body of the shipping interest. The opinions and the interests of these great bodies deserved the consideration of the House. He warmly complained, that the hon. and learned gentleman should make the mistake of a clerk at the Board of Trade the subject of repeated charges against himself. It was probably the only mistake of the kind which had happened in the course of five years, and he did not see what entitled the hon. and learned gentleman to make an error of this sort the subject of reiterated attacks. If ever he should be persuaded that the welfare of the empire would be more effectually promoted by the repeal of the Orders in Council, than by persisting in them, no man would be more ready than himself to promote their abrogation.

Mr. *Baring*, as the individual who had first noticed the issue of an improper licence, begged leave to acquit the right hon. gentleman of any impropriety of conduct on his part, however blamable might be his subordinate agent. With respect to the momentous subject of debate, it was not his intention to follow the example just set, by going into a long detail of evidence, principally, because he could not expect to engage the attention of any gentleman, who had not thought it right to render it unnecessary by attending the committee, or by perusing the printed examinations. His hon. and learned friend had taken a most enlightened view of the subject, and delivered a speech which reflected the highest lustre upon his talents, while it evinced the deep attention which he had given to the subject; but yet, much remained to be stated upon it, as connected with the evidence, and the commercial policy of the measure. He would take the liberty of stating what appeared to him to be the essential points, to which the attention of the House should be directed, explaining them by such references to the testimony as might be required to render them more intelligible. When the Orders in Council were first issued, many different opinions prevailed as to their effects; no such difficulty could now be felt, since it was a fact, which none attempted to disguise, that the manufacturing districts were reduced to a state of unexampled distress. The House therefore had two questions to decide: 1st, Whether these distresses were attributable to the Orders in Council? and 2dly, Whether any benefits had arisen in any other quarter to compensate the nation for the sufferings it sustained, which were in his judgment to be ascribed only to these Orders? In arguing this subject at various times, the right hon. gentleman had found it convenient to shift his ground frequently; on one occasion the Orders in Council were called measures of retaliation; on another, they were justified as promoting commercial objects; during this night's debate, the right hon. gentleman had acted the same Protean character, and it was impossible to catch him from the frequent shifting of his ground: but whenever he set out with an assertion that they were resorted to as a political retaliation, he instantly proceeded to prove, that they were issued only for commercial objects. Many ingenious arguments had been employed on the question, but he could not perceive how those measures were justly termed retaliatory upon France, when their sole effect was the destruction of ourselves. If they were retaliatory, he should have imagined that they ought at least to have been in some degree injurious to our enemy, and beneficial to ourselves; if it were proved that as measures of trade they were detrimental only to Great Britain at least, the assertion that they were a retaliation, was completely disproved. Considering them as issued for the sake of commercial objects, the right hon. gentleman admitted that we were greatly distressed, but added, that if the Orders were withdrawn, the trade to the Brazils, to South America, and to the British colonies of North America, would be materially injured. He would not follow his hon. and learned friend over the ground he had travelled to give the House an adequate idea of the miseries of the lower classes, and he wished only to allude to them for the purpose of connecting them with the Orders, for the sake of shewing that in that fruitful source of evil they originated. When the witnesses were examined, the object on the other side of the House seemed to be to bewilder them with questions regarding the Orders in Council, which puzzled even their most vehement supporters; but however successful they might in some few instances be, the general result was disappointment, and the testimony adduced, incontestibly shewed not only that distresses did exist to a dreadful extent, but that those distresses were attributable to no other cause than the Orders in Council. In the absence of better arguments, it was then insisted that this latter opinion had been put into the heads of the witnesses by designing individuals, but a knowledge of the persons who were called to the bar, and of the manner in which they gave their depositions, was sufficient to contradict this assertion; they were master manufacturers, who had once been in the habit of employing from 300 to 3,000 workmen, and whose information and acuteness not only with regard to their own interests, but on the general trade of the country, were surprising to all, und unwelcome to the right hon. gentleman. They were produced from most of the great manufacturing towns and districts, with the nature of which they were intimately acquainted, and had most of them reduced the number of their workmen to two-thirds, and sometimes to one-third of the original number which their business formerly supplied with the necessaries and some of the comforts of life. It might be well to direct the notice of members to the proportion of trade these manufacturing places carried on with the United States, compared with the amount of their whole business. In Birmingham, it was supposed to be one-third or one half; in Wolverhampton one half; in Sheffield, one-third; in the potteries, one-fourth in value; and one-third in bulk; in Leeds, one-half, or one-third; in Dewsbury, one-half; in Rochdale, two-fifths; in Bury, one-half; in Manchester, one-third or one-fourth; in Leicester, one-third; in Hinkley, two-thirds; and from the salt works of Cheshire, 50,000 tons were annually exported. In all these places the demand stated had ceased; the consequence was, that those who formerly were engaged in the foreign trade, were thrown upon the home market, which thereby sustained most serious injury by the competition. The stock on hand was stated to be of an immense amount, having been gradually augmented by the unwillingness of the masters to turn off their men, and from all the evidence it was apparent, that many workmen were still kept on from charity, to manufacture articles for which there was no sale, and upon the fate of thousands in this deplorable condition, the House had now to decide. From the speech of the right hon. gentleman, he was sorry to find that it was intended by the present administration to persist in these destructive measures, and since such was their determination, Mr. Baring recommended that some decisive steps should instantly be taken to secure the tranquillity of the interior; he had received many letters from the country, which assured him, that upon the decision of the House rested the future peace of the manufacturing districts. In some of these districts the public repose had not yet been disturbed, on account of the laudable charity of the masters, who, though having no work, continued to pay their men. How long after this night's vote this state of things might continue, the most sanguine could not indulge a conjecture. It was at one period maintained, that these disturbances had no relation to the Orders in Council, but the witnesses had silenced such unwarrantable assertions. It was true that embarrassments in the West of England did not exist; he was free to admit that Mr. Woods, a most respectable witness, had so proved; and the opponents of the Orders in Council had no desire to make their case stronger than it in reality was; but it had been also established, that although there were no distresses, many orders had been received for goods from America, with which it was impossible to comply. The same reason why there had been no disturbances in the West of England, would shew why there had been no disturbances in the metropolis; the lower orders being differently employed, did not experience the want that afflicted the manufacturing districts of Lancashire, Yorkshire, and Warwickshire. Setting aside altogether the commercial question, ought it not to be a great inducement with ministers to repeal the Orders, that it compelled them to maintain a large armed force, to conquer the unhappy people in the interior, which might be far better employed in subduing our enemies in the peninsula? With regard to the second question, whether, if the American market were re-opened, our distresses would not be removed, all the witnesses concurred in stating, that the obtaining of such a vent would remedy nearly all the commercial evils under which we laboured. They were convinced that the repeal of the Orders would open the ports of the United States to our manufactures, and that the consequence would be the restoration of happiness and tranquillity. "But," said the right hon. gentleman, "we shall lose the South American trade." According to the evidence, such a loss would in reality be a gain, for all agreed that it was a most ruinous speculation; and allowing that the losses sustained there had been caused by ignorance, yet it was evident that the market had been glutted, and the utmost that could be made of it was, that if it were reduced from three and a half to two and a half millions annually, it might be beneficial; but of what consequence was this trifling sum compared with the immense advantage to be derived from a free intercourse with the United States? This trade had every circumstance that could make it valuable; the demand was constantly increasing, and the returns were of a most important and essential nature, no less than the raw material for our manufactures, and food for our armies. It had been said, that the merchants of London had not petitioned for the repeal, but had prayed the continuance of the Orders in Council. The names of the individuals who had done so were certainly respectable, but they were by no means to be considered the principal merchants in the American trade, and no attempts had been made to obtain a counter-petition. An insinuation had been thrown out that Mr. Glennie was an interested witness, because he was agent to the American navy; the truth was that his only connection was as a banker, to receive bills, which did not produce him more than 50*l.* or 100*l.* per annum, a sum so trifling, that it could not for an instant be supposed to influence his sentiments. He would now take a view of the different branches of commerce which it was said would be injured by the Orders in Council. In the first place might be named the trade to Canada, the exports to which amounted to little more than 900,000*l.* and although it was probable that they might be enlarged, yet it could not bear a moment's competition with the commerce to the United States, ascending to 20 millions. The great foundation, however, on which the Orders in Council were rested, was, that if the ports of France were opened, that country would obtain from Cuba and the Brazils, sugars and raw materials for her manufactures.—In the first place he would observe, that it was the first time he had ever heard, that it was a great object with a government to distress the trade of an ally, as we certainly should if we annihilated the commerce of Cuba, and certainly, *in limine*, it was not a policy of which a nation would be anxious to boast. The House, however, by the testimony of an honourable member (Mr. Marryat), would be convinced that the trade to and from Cuba was still maintained, and the principal manufactures of the continent, silks and linens, were exported thither. By his evidence it appeared, that three cargoes of continental silks and linens had been sent out there in 1809, while we sent but one. The French in fact brought out silks so cheaply during the operation of the Orders in Council, that ours had no chance of being sold. It was therefore evident, that our commerce to that part of the world could not be rendered worse than it was under these Orders by any commercial regulation whatever. There was no doubt, indeed, that if a general trade was opened, the French manufactures would, in some instances, undersell us, but, he conceived it to be a great mistake to form that general desire for engrossing every thing, and seizing any advantage which might be possessed by other nations, and of all fears of rivalry he conceived none to be more absurd than that which regarded France in her present state.—In fact, the manufacturers had, to a man, declared, that they feared no rival, if the trade was once open; and even the right hon. gentleman himself allowed, that there was very little to be apprehended in the articles of iron, cotton, and wool. Thus, then, it was certain, that as to Cuba, the Brazils, and our American trades, the Orders in Council, instead of being useful, were altogether mischievous. With respect to the evidence on the other side, there was nothing asked but questions of opinion. Mr. Finlay, of Glasgow, and the other gentlemen who were examined on the other side, spoke even as far as they related facts against the Orders. They admitted that a considerable depression of trade had taken place; and on the whole it seemed as if the government had been merely looking out for two or three stout fellows to make speeches and give opinions. There was another point to which he would call the attention of the House. In consequence of the suspension of our intercourse with America, it was stated in the evidence that a particular branch of our trade—the cotton trade—had suffered materially, and that if the suspension continued for three years more, it never would be renewed. It never should be forgotten, that our own trade originally owed much to the bigotry of other governments, and that we were in a manner forced into a manufacturing country by the repeal of the edicts of Nantes. A perseverance in our present system would inevitably do the same to America. It was said by the noble lord opposite, on a former night, that the Orders in Council were not the only obstacle to reconciliation with America. If the noble lord could shew that America had higher pretensions,—that she aimed at the destruction of our maritime rights, for instance,—he for one, great as our sufferings might be, would not compromise the honour or the interests of his country; but the fact was otherwise. The repeal of the Orders in Council was the only obstacle to conciliation, and this appeared from unquestionable documents. The American government and ours did not differ on the principle of blockade; for we never supported the principle of a mere paper blockade, and we stated this distinctly by our ambassador to Mr. Monroe. He was sorry not to see an hon. and learned gentleman (Mr. Stephen) in his place, who used to dwell so much on this topic, because he should be glad to set him right on it by the correspondence between the two governments. So far, indeed, was America from differing from us on this point, that Mr. Monroe said, "Did not America repeatedly declare, that she wished only for the repeal of our Orders in Council?" After such a declaration as this of her ambassador, could any person say that there was any impediment to an agreement except those Orders? All America wanted was a satisfactory assurance that our Orders were at an end. It was unfair, therefore, to state, that there was any material question which involved the consideration of our maritime rights of search, of blockade, &c. From the papers to which he alluded, these facts were clear; and he was only astonished, when they were so satisfactory, that the noble lord should have resisted their production before the House. In a few days, however, he should move them to be printed, to which he hoped the noble lord would have then no objection. Before he sat down, there was another point on which he wished to say a few words, and that was the expence to which we were put by the existence of the Orders in Council. He would venture to say, that unless they were repealed, our commissary-general in Portugal could not be in future sufficiently supplied. By our inability to send any thing to America in return for her supplies, a loss of 2 millions a year was suffered from the state of the exchange. We had, then, the additional expence of military preparations in all our northern colonies; and it was possible even, as said by his right hon. and learned friend, that an additional force would be wanted from Portugal for the defence of Canada. This might be found necessary; but if America should go to war seriously against us, in his opinion we could not retain Canada three months. On the whole he thought, that by our Orders in Council we lost the most substantial commercial advantages, for an object which we could never obtain—that of forcing our trade with the continent.

Lord *Castlereagh*, on such an important subject, felt anxious to offer to the House the reasons which appeared to him conclusive against the address. He lamented the precipitation of the honourable and learned gentleman in bringing forward this motion—a precipitation injurious to his own cause. This was the more to be regretted, as the evidence went to such a great extent. He was sorry that the honourable and learned gentleman, even for the sake of his own character, should have so much departed from all parliamentary practice, and should have pressed to a hasty discussion a question than which one more vital never came before the consideration of parliament. He deprecated any interference on the part of the House in a question of great national importance, involving unquestionably commercial considerations of the most serious nature, but mixed up with considerations of maritime right. It was certainly not out of the absolute province of parliament to interfere on such an occasion; but it had always been that from which they had been abhorrent, pending a negociation on a delicate subject, to dictate to the executive government the course which it ought to pursue. He admitted that the hon. and learned gentleman had made out a grave case of national distress, as affecting the manufacturers of the country. He further admitted that there was reasonable ground to believe, that if the American market was not opened within a limited period, the pressure would be increased. But still he hoped that parliament would not allow their imaginations to wander so widely with the hon. and learned gentleman, as to conceive that the general commerce and manufactures of the empire were in a state of decay and perishment. He by no means wished to understate the pressure on those of our manufacturers who had been accustomed to export to America.—He felt acutely for their distresses, and he declared that he had never met with more fair and liberal men than the individuals sent by those manufacturers to represent their case to parliament. He conceded to the honourable and learned gentleman, that if Great Britain revoked her Orders in Council, America might be disposed to abrogate her Non-Importation Act; but he contended, that on a retrospect of the past, he was by no means prepared to say that it would have been wise to have kept possession of the American market, by abstaining from those measures; an abstinence which would have exposed the commerce of this country to all the evils with which it had been threatened by France. In justice, however, Great Britain ought to have retained possession of the American market. Notwithstanding the system which she had adopted towards France—a system which, he admitted, was not justifiable on principles of commercial policy, but which was most completely justifiable on the principle in which it originated: namely, the principle of coercing France, and driving her from the system of misrule which she had so extensively exercised. As directed against France, this system had obtained its object. Never was a country more commercially depressed than France. By the official documents of the French government, it appeared, that the whole extent of the manufactures and produce of that country with her population of 36 millions, consumed internally, as well as exported, did not equal the simple exports of other nations. In the year before last, they did not exceed 54,000,000*l.* sterling, while ours amounted to 66,000,000*l.* Never therefore would he cease to contend, that the system of his late right hon. friend did not originate as much in wisdom as in justice. Even with the loss of the American market (which he maintained we ought not to have lost) let the House compare the situation in which the British empire was, with that in which it might have been, but for the Orders in Council. This country (with the exception of the last year, the deficiency of which was occasioned by temporary causes) exhibited to the world a spectacle of a nation successfully struggling amidst the efforts of war, and rising in wealth and commercial prosperity. Indeed a great part of the deficiency of the last year was occasioned by the preceding extraordinary and even unnatural prosperity. With that exception, the commerce of the country, all but that which related to America, had increased in an accumulating ratio beyond what it ever had been in times of peace. And even in continental Europe, our commerce, notwithstanding the efforts of the scourge of the continent, had grown to a considerable extent, particularly since the issuing of the Orders in Council. The average of our annual exports to the continent during the three years preceding the Orders in Council was 17,500,000*l.* The annual average of the 3 years subsequent to the Orders in Council was 23,000,000*l.* being an increase of near 6 millions. Even the exports to America, prior to the last year, so far from decaying, had considerably increased. The average of the annual exports to America and the West Indies during the three years immediately preceding the last year, was 22,000,000*l.* the annual average during the three years preceding those three years, was only 19,500,000*l.* The present distress of those manufacturing districts most connected with America was, in a great degree, attributable to the benevolent feelings of the master manufacturers, who had expended their capitals in keeping their men employed on the same scale during the last year as they had done during the three years preceding. He had always denied, that the present system was adopted from any unworthy motive of national gain. It rested on the firm ground of national defence. It rested on the principle, that as the enemy wielded their utmost extent of power against the prosperity of the British empire, we had a right to wield the utmost extent of our power against the prosperity of France. He stated it in vindication of the character of the country, and of the government, that he believed no councils had ever been more honourably and faithfully directed to apply the system of retaliation successfully to the enemy, but in a way as little obnoxious as possible to the neutral. Various modifications had been resorted to for this latter purpose, and particularly the Order of 1809, limiting the blockade to France and the countries immediately under the power of her arms. Adverting to the system of licences, he maintained that the hon. and learned gentleman had fallen under a great error on the subject. The licences connected with the system of blockade did not form a fifth of the whole licence system of the country. We had a right by our licences to avail ourselves of the relief which the enemy required; and we had never done this to the injury of neutrals, who had enjoyed as much facility in sailing from our ports as our own merchant vessels. But it was not with the licence system that America quarrelled. We had expressed our readiness to return, if America wished it, to the strict measure of 1807, provided she rescinded the act prohibitory of our commerce. He was anxious to call the attention of the House to some circumstances which had occurred since the last discussion on the subject, and since the issuing of the Regent's Declaration in April. It had been asked in that House, in what way he understood the operation of the French Decree recently communicated to government by the American minister? He had no hesitation in replying, that in his opinion it by no means satisfied the Regent's Declaration, which required the unqualified and unconditional repeal of the Berlin and Milan Decrees, as the condition of rescinding the Orders in Council. The day on which he had received that Decree, was the very day on which the House of Commons had been pleased by its vote, virtually to dissolve the administration; and therefore it was not until the last three or four days that the present government, considering themselves as a government, had deliberated on the subject. On the face of this instrument, however, he had no difficulty in repeating that it appeared insufficient, and was accompanied with circumstances of great distrust and suspicion. It was difficult also to say, whether this Decree had not been completely revoked by the sweeping declaration of the duke of Bassano, that the Berlin and Milan Decrees would remain in full force, until the maritime assumptions of this country should be abandoned. There, therefore, must exist considerable doubts on the subject. Nevertheless, it might not be unwise to put the country in a situation to receive explanations upon it. If the American government should be found disposed to make representations to France, to induce her to satisfy the just expectations contained in his royal highness the Prince Regent's Declaration, Great Britain would be disposed to consent to the suspension, for a limited period, of the restrictive system of both countries; or, in other words, she would consent to suspend the Orders in Council, if America would consent to suspend her Non-Importation Act. The experiment might then be tried of the practicability of restoring things to their ancient system. If, by an act of temper and conciliation, not incompatible with the safety of the country, an inducement could be held out to France, in the paroxysm of her power, to return to that system, a departure from which had been destructive of her own commerce, it would be an act redounding to our honour. Should the event be favourable, the advantage would be great to all parties. Should it be unfavourable, we must return to our present retaliatory system.—If this effort on our part were not met with a correspondent feeling on the part of America, opportunities would be afforded, in the absence of irritation, of fairly considering those circumstances which might restore and cement that friendship which ought always to be maintained between the two countries, and which it was the curse of both had ever been interrupted. If, by the fatal perseverance of France, Great Britain should be driven to re-adopt her retaliatory system, means might be adopted, without endangering its efficacy against the enemy, of rendering it less obnoxious to America. He concurred with the hon. and learned gentleman, that it would be a most unworthy and unwise policy in this country to allow itself to be provoked by the irritation which America had evinced. Was it not the part of a great empire like England to adopt a conciliatory course of conduct towards America, even at the time when her tone, although he trusted it would not lead to absolute war, sufficiently marked the hostile disposition of her councils? Although he did not wish to be too sanguine as to the result of this experiment, yet, persuaded as he was, that there had been moments of such great inconvenience to France, that had she not cherished hopes of final success from the occurrence of certain circumstances in this country, she would willingly have abandoned her projects, he could not help entertaining an expectation that she might be induced to return to the ancient system. Under all these circumstances, he trusted the House would not consent to the Address. He would content himself with moving the order of the day. Were the documents illustrative of the negociation between this country and America on the table, he should call for a distinct negative to the motion, but as they were not, so he did not wish to extract from the House any vote which might imply their approbation of the conduct of his Majesty's government in that negociation.

Mr. *Whitbread* declared himself to be, as on most other occasions, completely unable to understand the meaning of the noble lord. He begged the noble lord would say what it was he meant; and if he was better understood by any one else, he (Mr. Whitbread) should confess that he was truly dull of apprehension. The noble lord seemed to wish the House to believe that he proposed to do something conciliatory to America. But did he mean to act immediately on his proposition? Or was it his intention to send out to America, and tell her, that if she would relax in her late system of the Non-Intercourse Act, this country would suspend, or revoke, or abandon, or do what with the Orders in Council? Did he mean to give any immediate relief to the starving manufacturers and ruined capitalists, or did he mean to advise his royal highness the Prince Regent to withdraw the Orders in Council till this question should be determined?

Lord *Castlereagh* in explanation said, he meant as he had stated, that a proposition should be made to the American government to suspend immediately the Orders in Council, on condition that they would suspend their Non-Intercourse Act; and that in the interval both parties should use their endeavours to prevail on Buonapartè to restore the rules of commerce to their ancient customary limits.

Mr. *Whitbread* was of opinion that if this proposition was to be sent out to America, and it was expected that the House and the country should wait tlil they received an answer, it was the greatest delusion that had ever been attempted. Could he, after what had passed, suppose the House of Commons would wave the question any longer? The manufacturers had declared they could not wait longer. The general and deeply distressed state of the country loudly declared relief ought not any longer to be postponed. What had induced the House to interfere with the executive government? The answer was plain and obvious—it was the conduct of the executive itself. The state of the country was so alarming—the cries of the petitioners were so truly piercing, that interference could no longer be put off. It would depend on the decision of the House of Commons, whether they would have thousands and thousands not only destitute of bread, but in a state of absolute despair. If the House determined to rescind the Orders in Council, there could be no doubt but the looms would immediately and numerously be set a-going, and ships would be instantly freighted. If the noble lord's proposition be adopted, not a single loom would be seen to move—not the sail of one single ship would be unfurled for commercial concerns with America. That country had till to night been calumniated as a government, and had never been treated with the respect due to an independent power; and it was high time that we should awake to the real interests which belonged to the commerce and manufactures of the country. He did hope, the noble lord and his colleagues, after having witnessed for so long a time the distressed situation of the manufacturers, and after learning from the evidence what was the cause of it, would have come forward to have put an end to such crying evils by a determination to suspend the Orders in Council, with their concomitant mischievous attendants—licences, and their subordinate supporters—fraud and perjury. He had in his hand papers which had been left in the hand of a bankrupt, who had dealt in these simulated papers; and the clerks of that very bankrupt had since advertised, that all persons who were desirous of obtaining simulated papers might be immediately supplied by them. The question was, whether the noble lord would suffer thousands to remain without bread, or would go on with the system of simulated papers and licences. He would ask the right hon. gentleman whether the American minister, from the first moment of the Orders in Council being mentioned, did not protest against them—whether that minister did not warn him and his colleagues that if they were persisted in, they would involve the two countries in a war; and at last told both the belligerents, that if they did not relax in their several systems, America could not be on terms with either of them. France had been the first to relax, and thence the state of our starving manufacturers. And besides, that while it was pretended by ministers in this country, that they meant these Orders in Council as a measure of retaliation on the enemy, and negociations were carrying on by means and through the medium of an ambassador, sent expressly for the purpose from this country, a base and scandalous attempt had been made, which appeared to have been sanctioned by the person now at the head of the administration of this country, to separate the northern states from their union with the southern. It appeared from lord Liverpool's letters, that this man had been employed by government; and he had no doubt but when the papers were granted which had been called for and refused, the fact would be proved that such person had been employed for no friendly or laudable purpose. This action had given into the hands of the American government the most powerful engine of war that could be devised. The noble lord had said, that the cause of the distress of the manufacturers was owing to their having made too many goods on speculation. He believed the noble lord had never read the evidence: for if he had, he would have found no such information there: he must have derived it from some other source, which was not to be depended on. The evidence told the direct contrary, and shewed that they had manufactured, not from speculation but to keep the men who had been long in their employ from actually starving. The noble lord, however, had put it on a different footing, and was for waiting till we could send a proposition to America for the acceptance of that government; while the manufacturing interests were at this moment waiting in breathless expectation, to know whether they were to be doomed to starve or not. He begged the House would not be caught by the delusion, but by their decision prevent the manufacurers from being driven to profound and absolute despair.

Mr. *Bathurst* thought it had been said, that such was the feeling of America, that the moment our Orders in Council were done away, that moment their Non-Intercourse Act would cease: and the witnesses at the bar had even said, that on the knowledge of the Orders in Council having ceased to operate, they would immediately, without hearing from America, proceed to ship their goods.

Mr. *Ponsonby* contended, that the right hon. gentleman had figured a case perfectly wide of the proposition of the noble lord. To induce the House to pass to the orders of the day, the noble lord had stated it to be his intention to send to America, to know whether, on our suspending our Orders in Council, America would abrogate her Non-Intercourse Act, and then would apply to France to rescind her Berlin and Milan Decrees; and this too for the purpose of deciding whether the retaliatory measures of this country should or should not be persisted in. Such a proceeding was calculated only to produce delay—for the American minister had already pledged himself, that on the Orders in Council being repealed, he was authorised to say that the Non-Intercourse Act was at an end. If the proposition was made to the American government to apply to France for the repeal of the Berlin and Milan Decrees, would not the American government immediately say to you she had no power to interfere with France, except in as far as her own commerce was concerned? As to America, France had already repealed the Berlin and Milan Decrees; and though she might be sorry this repeal did not extend to Britain, yet she had neither right nor power to interfere.

Lord *Castlereagh* explained, that he never meant that there should be any delay in suspending the Orders in Council. He meant they should be suspended for a definite time, and that this circumstance should be communicated to the American government for the double purpose of ascertaining, whether she would in consequence abrogate her Non-Intercourse Act; and also that she might apply to France, to return to the ancient system of belligerents.

Mr. *Ponsonby* said, then the noble lord meant to suspend the Orders in Council at the moment? Was this so? (Lord Castlereagh assented.) The Orders in Council, then, he was to understand, were to be immediately suspended. Were our manufacturers, he asked, to act on this, and to ship goods, depending on the acceptance of this proposition by the American government? If they were to derive any advantage from this suspension, it must be by an immediate shipment, and in inducing our manufacturers to avail themselves of this permission, were we not telling them that they must depend not on the act of the government of this country, but on that of another government?—Would it not be more becoming at once to tell the Americans "the English government has revoked the Orders in Council, and it has done it on the faith of your declaration, that the moment it did so, you would repeal your Non-Intercourse Act?" Supposing both governments to act with good faith, the same ship that carried out the account of the revocation of the Orders in Council, might also carry out the goods of the manufacturers of this country, so far as it could contain them; but under this step implying a suspicion of the American government, that government was pledged to nothing. The proposition of the noble lord was full of hazard to our manufacturers, offering nothing good, and leaving them and their property completely at the pleasure of the American government. How America was to agree to such a proposition he could not say; but he knew what flowed from this mode of proceeding, namely, a confession both to France and America, that the English government had resorted to measures which bore so hard on herself, that she could not persevere in them.

Lord *Castlereagh* explained, that the American government had made the same pledge as to suspension as they had with respect to revocation.

Mr. *Wilberforce* objected to the mode proposed by the noble lord, because it shewed an unwillingness to do that which, in fact, he intended to do. He entertained doubts as to the propriety of abandoning the Orders in Council; but if it was thought that they might be suspended, he was of opinion the best mode of proceeding was to declare that this country would revoke them if America would revoke her Non-Intercourse Act. The government of this country ought to give to our manufacturers the best security they could that their goods would not be sequestrated. In asking the American government if it would do what it had said it would do, we in a manner asked her if she was serious in her declaration or not, and left her to answer as she pleased. This he did not approve of. If we were to depart from our present system, we should do it in the way best calculated to secure to us the advantages to be expected from the change. We ought not to steer a middle course, and thus deprive ourselves of the advantage which we might derive from acting with openness and candour. To our manufacturers the mode proposed was tantalizing, and as such, he thought, unbecoming.

The *Chancellor of the Exchequer* said, all that was asked of the American government, was to require of France assurances as to the *bona fides* of the Decree as to America, which she had issued.

Lord *Milton* declared his inability to comprehend the precise intentions of ministers; or whether in the event of the French government re-inforcing the Berlin and Milan Decrees, it was proposed to re-enact the Orders in Council.

Mr. *Canning* entertained the same opinion of the Orders in Council as he had originally done, that they were a justifiable measure of retaliation on the enemy: but that retaliation he always considered as of a political and not a commercial nature. This view of them had that night been recognised both by the right hon. gent. and by the noble lord. It was becoming the character of this country to exert its strength in defence of its just and necessary rights; but it was also becoming its character to exercise its rights, so as to keep within the rules of strict justice to others. He did not approve, therefore, of some late attempts at converting a measure of political retaliation into a commercial monopoly for ourselves: but he was happy that such a principle had been disclaimed. Whether it was right or not to permit this enquiry to be commenced, he would not now consider: but he felt himself under some difficulty, for he had always considered this as a great political question, though certainly connected with commerce, which no British statesmen ought to lose sight of; and yet by consenting to try it on the ground of commercial pressure, the question was prejudged. There were, in truth, great political parties interested in this question, America, Great Britain and France: and yet, from our mode of trying the question, we precluded ourselves, in some measure, from the exercise of a due discretion in regard to our own Orders in Council, with a view to what might be done by the other parties. This was his opinion. But now, however, the enquiry had taken place, and the only remaining consideration was, how to turn it to the best advantage. He contended, that revocation was better than suspension. He had no hopes that concession would make any change in the measures of France: but he yielded to the hopes of a reconciliation with America, and relief to the distresses of this country. Adverting to the report of the French minister, where it was asserted that the treaty of Utrecht had settled the doctrine that free ships made free goods, as the law of nations: he characterized that report as conceived in fraud, and issued in delusion, and concluded by expressing a wish that something should appear on the Journals, to mark the opinion of the House on the enquiry.

Mr. *Brougham* congratulated the House and the country on the prospect of speedily getting rid of these Orders in Council. He hoped they should never hear of them again; indeed, he was sure they would not, for he should like to see any one that would dare to re-animate them. He hailed the absence of his hon. and learned friend (Mr. Stephen), though he should have been sorry for it on any other occasion; for it was evident his hon. and learned friend had not been able to bring himself to witness the death of his darling offspring—the Orders in Council. The enquiry had been long and tedious, but it had not been in vain. He disclaimed all ideas of having considered the provisions of the treaty of Utrecht as part of the law of nations. The noble lord, he hoped, would withdraw his motion of proceeding to the orders of the day, and explain more distinctly what was the exact intention of government. He suggested that the debate might be adjourned till Friday, that they might understand each other more clearly before they came to a decision.

Lord *Castlereagh* must oppose the orders of the day to the Address, which he considered as an unconstitutional interference with the executive government. Nevertheless the words of the Address included the proposition which he had suggested, for it recommended to his Royal Highness to repeal or suspend the Orders in Council.

Ultimately, Mr. Brougham and lord Castlereagh severally withdrew their motions, on the understanding that an official instrument on the subject should appear in the next Gazette.

HOUSE OF COMMONS.

Wednesday, June 17.

COMPLAINT AGAINST "THE DAY" NEWSPAPER.] Mr. *Marryat* rose to complain of a gross misrepresentation made in the paper called "The Day," in the report of the speech of the hon. and learned gentleman who opened the debate last night, (Mr. Brougham.) The paragraph to which he alluded stated, "that no attempt was made by any one to deny the distress of the country, except by a member of that House, Mr. Marryat: that the hon. member had flatly and insultingly contradicted all the testimony of the other witnesses; and though a loyalist, and beginning his evidence by an attack on jacobinism, yet was evidently of that class which he now abused." The paragraph went on applying to him (Mr. Marryat), whatever the hon. and learned gentleman had imputed to the witness of whom he spoke. Before he said any thing respecting himself, he must say, that the severity of the invective was such as could not, in strict justice, be applied to the testimony of any witness before the committee. It had been said of a celebrated author, 'Nihil tetigit quod non ornavit;' it might also be said of the hon. and learned gentleman, that he ornamented and amplified whatever subject he undertook; and the statement had become, perhaps, still more decorated in passing through the hands of reporters and compositors. As to himself, it must be known to most gentlemen in that House, that he was utterly unconnected with the manufacturing districts to which the witness in question had belonged; and every man must do him the justice to say, that he had never ridiculed or insulted the miseries of the manufacturers, who might fairly be considered as the great props of the national trade and wealth: yet, though this justice would be done him in the House, the misrepresentation might do him much harm out of doors. Suppose he lived in the neighbourhood of any manufacturing place—for instance, Spitalfields; and the numerous workmen there had seen the statement, might not his personal safety, nay, his life, as well as that of his family, have been endangered? It was not from any vindictive motive that he brought forward this subject, but merely to do justice to himself. He was soon going to a manufacturing district, where part of his family resided, and where such a statement, uncontradicted, might produce to him very serious mischief. He should move that the printer of The Day do attend at the bar of the House.

The *Speaker* said, the proper method was to give in the paper, that the paragraph might be read. It was put in and read accordingly. The Speaker then informed Mr. Marryat, that he might make his motion.

Mr. *Marryat* moved, That Thomas Knowles, the printer of The Day, do attend at the bar of the House on Friday next.

Mr. *Brougham* said, that could he have anticipated, that what fell from him yesterday would have given rise to this serious mistake, he should have been inclined almost to have compounded with his duty, and have omitted the statement. The person to whose testimony he had alluded, it was hardly necessary to say, was not his hon. friend; it was a person who neither was, nor ever had been a member of that House. That newspaper account had other inaccuracies; in some places going beyond, in others falling short of his observations: yet he could not allow to have it said, that his had been an ornamented, fanciful, exaggerated description of the testimony of that man. He was the more disposed to make this remark, as some gentlemen on the other side had appeared disposed to cheer the assertion of the hon. gentleman on this point; particularly an hon. baronet, who, he was pretty sure was not present at the examination of the witness alluded to. He would observe merely, that the privileges of the House would be best preserved by mixing lenity with their animadversions: in the present instance, he was perfectly disinterested in making this remark, as he had been twice affronted by the Day newspaper; once in a misrepresentation of his speech, another time by a direct attack upon himself. Gentlemen should also consider the disadvantage under which reports of their debates were taken. (Cries of Order, order!) He would not press this, but begged gentlemen to reflect on all those circumstances of palliation which they could not be ignorant of, though it was unparliamentary to mention them.

Mr. *Baring* said, that it was scarcely necessary to mention that the expressions in question were not used by the hon. gentleman: he hoped that the hon. mover would be satisfied with this explanation.

Mr. *Herbert*, of Kerry, said, it was very hard that members should be so misrepresented: he had himself suffered this injury in his vote respecting the Duke of York.

Mr. *C. Adams* said, that no stress ought to have been laid on expunged evidence.

Mr. *Marryat* had no wish to inflict any punishment on the printer, except, perhaps, that he should print the whole of his testimony, as the best contradiction to that unfounded paragraph. Whether, however, this were done or no, he called for no punishment, and begged to withdraw his motion.

Mr. *Ponsonby* asked, what good would be effected by calling the printer to the bar. He could merely say, what every body saw, that it was a mistake; nor would it be right to press the motion, now that the offended person expressed himself satisfied.

A division then took place:—For the Motion 110; Against it 116.—Majority 6, for not bringing up the printer.

PRISONERS OF WAR.] Mr. *Calvert* moved for a return of the number of commissioned officers, prisoners of war in this country, on the 5th of June, 1810, 11, and 12, distinguishing those who had broken their parole, those who had escaped, and those who were retaken.

Lord *Castlereagh* concurred in the propriety of the motion. A greater number of officers had latterly broken their parole, than was ever known in any former war. If they could not prevent this, he thought the names of the parties, who had thus forfeited the honour so highly prized by military men, ought to be held up to public detestation, for the purpose of deterring others from pursuing similar conduct.

Mr. *Calvert* was glad the noble lord approved of his motion. At the same time, he must observe, that the publication of the names would have very little effect. Those who could make up their minds to such an action, would not be deterred by any measure of the kind.

The motion was then agreed to.

TOLERATION ACT.] Mr. *Whitbread* said, that considerable conversation had taken place, prior to the death of the late Chancellor of the Exchequer, as to a legislative measure, for the relief of Dissenters. He had, in consequence, from time to time, waved a notice which he had given on the subject, that the determination of the members of government might be made known. To give the present ministry an opportunity of turning their attention to the subject, he would now postpone his motion, which stood for this day, to this day se'nnight.

SINECURE OFFICES' BILL.] The *Chancellor of the Exchequer* having signified the consent of the crown to the passing of this Bill,

Mr. *Wynn* said, that he was exceedingly glad that the consent had been given, but he could not admit that it was necessary. He protested against the statement of an hon. gentleman (Mr. Courtenay) on a former day, and denied that any Speaker had refused to put a question because it had not received the crown's consent.

Mr. *Courtenay* said, that the consent having been given he should not enter into the discussion. He desired the Journal of April, 1808, to be read, which was done accordingly.

The Bill was then passed.

NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION—MR. SHERIDAN'S EXPLANATION.] Mr. *Sheridan* spoke as follows: —I rise, Sir, in pursuance of the notice given by me on Monday last, availing myself of the indulgence which the Chancellor of the Exchequer has now afforded me, though I am well aware how much more important the subject is which he agreed to delay on my account, than any thing which I can have to communicate to the House. I must confess that in coming down to the House, about an hour ago, I rather felt something like an inauspicious omen at my entrance. How it came to be reported yesterday that I was taken desperately ill, I cannot in any way conjecture; but I certainly did feel not a little surprized when my hon. friends began to condole with my situation in a most alarming tone, and assumed a stare of affectionate surprise at my being well enough to come out. Now the fact is that I was very well yesterday; but I am so far from being well to day that I must on that account solicit the indulgence of the House; but I must have been labouring under a most severe indisposition, indeed, if I had allowed myself to neglect the vindication of my own character, and to be guilty of such a disrespect to the House, as not to redeem the pledge which I had so solemnly given.

In rising therefore on the present occasion, the House may be assured that I shall be as brief as possible in what I have to say, and that I shall consume but a small portion of their time. I have to confess that I shall solicit the attention of the House very much, to the consideration of circumstances connected with my own political life. This is a course which I intreat the House to believe I most unwillingly pursue. So long as I have had the honour to have a seat in this House, I think I may safely say this much of myself, that I have always had good sense and good taste enough not to be an egotist within these walls. And I am therefore the more induced to entertain a hope that the House will bear with me on the present occasion.

In the course of what I have to state I mean to bring no charge of crimination forward against any individual, but merely to confine myself to refute the calumnies which have appeared in a certain publication, which, except for certain reasons, I should now scorn to hold in my hands. If these calumnies, which are evidently levelled at me, had appeared in an ordinary paper, I would not now say any thing on the subject, or be disposed to take the smallest notice of them: for never was any man more a friend to the liberty, nay, I will even say, to the licence of the press than myself. But when I have seen these calumnies in a publication well known to be closely connected with those persons who call themselves my political friends, I cannot bring myself to consider them as the ordinary libels of the day.—In this publication I have been stated to be the chief actor, the notable promoter of all that secret and underhand influence which it is said prevented the formation of a new ministry, and I am held up as the creator and framer of the present administration. In complaining of such language, I do not mean to impute it to my hon. friends; but I will venture to say, they are little aware how much they really owe to me for the part I have acted. The right hon. and hon. gentlemen opposite know better; and I am sure I shall not lessen myself in their estimation when I declare, that had my counsels prevailed, not one of them would have been this day in office. In order to shew my hon. friends and the House, that I am not one of a cabal who have had recourse to artful means to procure the re-appointment of the present ministry, I shall proceed to mention the nature of the influence which I am stated to have with the great and exalted personage, the calumnies which are perpetually vented against whom wound me deeper than any which are levelled against myself. I will not attempt to disguise to the House, the honour I feel in the uninterrupted confidence reposed in me by that exalted personage, and the continual intercourse between us. But I will say this, that if at any moment I should have attempted to take advantage of that confidence, and that intercourse, for the purpose of advising him, when I knew that he had responsible advisers to whom that office belonged, I am persuaded I should have met with the severest reprobation from that illustrious person himself. I will not attempt to disguise, that no man living has had more opportunities of knowing most intimately that illustrious person than myself; but it is only known to him, and to the Omniscient Searcher of Hearts, whether I have merited or preserved that confidence by acts of sycophancy or servility. I know well, however, and I will boldly assert, that if ever there was a Prince who wished to be surrounded with advisers possessed of sincerity, the illustrious person in question is the man. I wish the House, I wish the country knew his heart as well as myself; for then I am sure the unmannerly, the base and most ungenerous scurrility which we have so often witnessed, would never have been uttered, or if uttered, would have been universally received with the scorn which it merited. I have differed from him at times in opinion, and I have differed from the party with which I am connected because I loved what I conceived to be the welfare of my country, better than the approbation of either. If I have differed from him, I found a reward in the confidence reposed in me by my country. If I had lost his confidence for exercising what I considered to be my duty, I would even have risked it. If I had lost it, I should have lost what I should always have deeply lamented; and he would have lost, what I pray God he might soon repair, a man devoted with his whole heart and soul to himself,—and to his honour and glory, and not to his station. In thus adverting to my intercourse with the Prince, I am perfectly aware how unparliamentary it is to make any direct allusion to the conduct or character of that personage in parliament. The reflections which have been cast upon me respecting the seat which I have the honour to hold in this House, might in my opinion have been as well repressed. I do not throw out the slightest suspicion that those of my own party were the persons who attacked, or were accessary to the attacks which have been made upon me. This might easily have happened without their knowledge or approbation, and might have originated in a desire of the writer to enter into what he might have mistaken to be the views of his party. When I went to Staffordshire lately to see my old friends of 32 years standing, they might then have easily thought that I was not likely to act the part of a sycophant for the sake of a seat in the House.

The income which I derive from the bounty of the Prince, which is the only thing I have—[Here Mr. Sheridan appeared somewhat agitated]—I shall explain to the House how I came to receive it. On the death of lord Elliot, when the office of receiver general of the duchy of Cornwall became vacant, the attorney general, Mr. Adam, and a number of other learned gentlemen, some of whom are now in the House, who were then consulted, agreed in thinking that lord Lake could not accept the situation when he was absent from this country, and it was then proposed that I should take it. I apprised his brother, in the presence of the duke of York, that if I took it, I should immediately resign it on lord Lake's return; and accordingly I did resign it when he returned. When he died, the Prince was pleased to give it to me by letters patent for my life, in the same manner as it had been given to lord Lake. I state these things to shew that his Royal Highness is entitled to all the gratitude, and all the attachment which it is in my power to display.

Notwithstanding this fair statement of my own independent principles, it will, perhaps, be continued to be said that I have joined in intriguing cabals, for the purpose of poisoning his Royal Highness's ear. Now I have to state that I have spoken to his Royal Highness only once within the last two months, which I did with his own permission. I purposely abstained from having any communication with his Royal Highness from a feeling of dutiful respect; and I had only one audience since I came back from Stafford, which I requested for the purpose of explaining my motives for going to Stafford. His Royal Highness was then pleased to ask my opinion with respect to the negociations that were going on; and I gave him my opinion; and I most devoutly wish that that opinion could be published to the world, that it might serve to shame those who now belie me. With respect to the cabal which has been stated to exist, I wish to say a few words. I have little or no acquaintance with the marquis of Hertford; and I have been only twice in his house in the whole course of my life. One of the times was just before the period of Mr. Fox's death; and the other time was on the occasion of the marchioness's party. Had I been intimate at Manchester-square, I should not be so unmanly as to shrink from at once openly avowing it. But with respect to the vice-chamberlain, I have been in the continual habit of meeting with him at a variety of places in different social circles; but I believe no two men who have been so often together, ever conversed less on political subjects than my noble friend and myself.

And now having shovelled away a great part of that rubbish of secret influence, about which so much has been said, I shall advert to what has been said in this House on a late occasion. My noble friend opposite has described me as a principal person in carrying on the late negociation. I will at once state to the House how far I merit the character of a negociator which has thus been bestowed on me. If I had put on a grave reserve, and pretended a mysterious ignorance of all that was going on, I should have been guilty of the most coxcombical affectation. I did know what was going on. But how did I come to know it? Did I know it from Carlton-house? Did I know it from the houshold? By no means. But I knew it from the marquis Wellesley, who did me the honour to call in his carriage on me at my own house, in the face of day, on the morning on which he was authorized by the Prince Regent to form an administration, for the purpose of shewing me the written terms which he proposed to offer. I knew by the noble marquis coming again to me about an hour afterwards, offering me a situation in his arrangements, when he received from me a most disinterested denial of accepting of any official situation. I knew afterwards from a noble earl, whom I shall always love and honour for his worth, his greatness of mind, his nobleness of disposition, for every thing which is the boast and pride of man, I mean the earl of Moira. The publication charges me with artful and insidious attempts to inflame the mind of the Prince against the two noble lords, who were called upon to form a part of the new administration; and against one of them in particular; which accusation the writer, however, very sillily and weakly supports. I do assert that the whole is not only a most gross and audacious falshood, but I say, that my conduct has been directly the contrary of what has been imputed to me. No man ever laboured more to remove prejudices which were entertained, and to conciliate good will towards the noble individual alluded to, than myself. I appeal for the truth of what I assert, to what consists with the knowledge of my worthy friend, the hon. gentleman who now sits beside me, (Mr. Whitbread.)

When it was decided that an administration should be formed, without any exclusions having been previously stipulated, I did then, as a privy counsellor, address a letter to his Royal Highness on the magnanimity and wisdom with which he had acted. I contend, that the Prince Regent has as much right to call upon me for my advice as a privy counsellor, as to call upon any great lord for his; and that I am as responsible for the advice which I may so give.

I shall now pass to that which has been most dwelt upon as the grand charge against me, that of a supposed conversation between me and a noble lord, a conversation presumed to be confirmed by the five thousand guinea, or five hundred thousand guinea (it does not signify which) bet of my right hon. friend, to which I shall pay my respects by and bye. The charge against me is, that I endeavoured to establish the present administration by baffling lords Wellesley and Moira, in their efforts to form another. An accusation more foolishly false was never made in this world. In adverting to this subject, I mean to abstain wholly from the question of the merits or the demerits of my lords Grey and Grenville, in the stand which they thought it necessary to make against the houshold. That will be discussed in another place; but I could not help, like every other man, forming an opinion upon it, and that opinion was decidedly this—that at a moment like the present, when all the great points were conceded to them, when they had an opportunity of saving the country perhaps, when the great point of all, and that which must ever be nearest to my heart—I mean the Catholics of Ireland, was at their disposal—when they might probably have rescued us from a war with America—when they might have pursued successfully the object of economical reform, and when, too, they would have had an opportunity of quieting the differences that now distract the country, I did not think it possible they could set up against such opportunities of public good, and incalculable service, that they wanted three white sticks removed! Such was my opinion—and was my opinion concealed? No! I understood that it was likely such a stand would be made by the noble lords, and I had my opinions conveyed to them through the only channel by which I was sure they would be temperately and candidly and accurately communicated, I mean by lord Kinnaird. There was this distinction too, drawn by some persons; that there were many who might regret the pledge given by one of the noble lords, but that being given, it was impossible he could act otherwise than he did. On that subject I will not say a word. Lord Grey is, and ought to be the guardian of his own honour, and must best know what belongs to the preservation of that honour. I was sorry that such a pledge had been given; yet I hoped it might be obviated. I always thought indeed that the report of it had been exaggerated; but it has been since related to me, in a way that leaves me no room for doubt upon the subject. I should be sorry if the question were put to me, whether a friend of mine, having given a pledge of that description, could evade it; but were I pressed upon the subject, I should certainly say that he could not, without great difficulty, maintain his honour and not redeem his pledge.

The noble earl, I understand, was of opinion, that if certain persons came into office the present officers of the houshold were bound to resign. This I think came precisely to the same thing as discharging them; for I trust there is not a man in the House, who would come into the shabby juggle which it would be, to say, that allowing them 8 or 10 minutes to walk off with their white sticks would be any thing short of discharging them; but I disliked as much the idea of the household resigning upon the formation of a new cabinet, as I did that of a new cabinet conditioning for the exclusion of the houshold. I had nothing to do, therefore, but to express my disapprobation to the noble lord; our conversation terminated however in my saying that—

[Here Mr. Sheridan, who, towards the latter part of his statement, had frequently paused from apparent indisposition, appeared so ill and so much exhausted, that he could not proceed. He raised his hand to his forehead, and stood silent for some moments. The House called upon him to sit down. He accordingly resumed his seat, and a glass of water was brought to him, which appeared to relieve him considerably, and he again rose.]

I had this frank conversation with the noble lord; and I did state to him, that I thought they were committing the same fault as the projected cabinet itself, because of the imputation which their resignation would necessarily cast upon the government.—The story of the noble lord having given way to my exhortation is wholly unfounded; and our conversation, which by the bye did not originate with me, ended in my saying, 'well I believe you are right after all.'

[Here Mr. Sheridan was again unable to proceed. His voice faltered before he ceased to speak the last time, and he was more than once wholly inaudible.]

Mr. *Jekyll* submitted it to the delicacy and feelings of the House, if it could be proper to proceed with the discussion. He thought it must be felt to be more convenient to postpone it, and accordingly moved to postpone it to Friday.

Mr. *Sheridan* faintly nodded assent, but did not speak.

The question was then put and carried, and the discussion was postponed to Friday.

BARRACKS.] The Hon. *J. W. Ward* enquired, whether it was the intention of government to proceed with the Mary-le-bone Barracks, in the manner formerly stated? On this subject he had given notice of a motion, which he did not wish to renew till he heard the determination of government.

Mr. *Wharton* said, it was not the intention of government to press the vote of 90,000*l.* at present, and the subject would undergo fresh consideration.

Mr. *Brougham* enquired, what was intended to be done with respect to the projected Barracks at Liverpool and Bristol?

Mr. *Wharton* reminded the hon. and learned gentleman, that the sum of 90,000*l.* covered them all.

THE BUDGET.] The House having resolved itself into a committee of Ways and Means,

The *Chancellor of the Exchequer*, [the right hon. Nicholas Vansittart] declared, that he could not rise to perform the duty which that day imposed upon him, without feeling sensations unusually painful at the recollection of the singular situation in which he was placed, and the remembrance of the lamented individual whom he that day represented. Considering in whose place he stood, whose papers he held in his hands, and whose plans he was about to state to the House, he felt rather that he was executing the last of the official duties of his lamented friend, than the first of his own. Happy should he think himself if he could, at the close of the day, resign those papers again into his hands, after supplying his place upon a mere occasional absence; but happier still, if he could inherit his talents and virtues, and close a life of public service with the same testimonies of public approbation, and equal consciousness of unblemished integrity.

Under these peculiar circumstances, the committee would not expect him to do more, than to state as briefly as possible what, with the exception of a few particulars, which he would point out when he came to them, was the intended budget of their departed friend.

He should, in the first instance, recapitulate the charges of the present year, and then proceed to the statement of the Ways and Means by which it was proposed that those charges should be defrayed.

The whole amount of the supplies was already within the knowledge of the committee, having, except a few inconsiderable votes for miscellaneous services, been agreed to by the House. It certainly was an enormous, he might even say, a terrible extent of charge; but he had the consolation to reflect that, great as it was, the resources of the country were still equal to support it.

On a reference to the papers on the table, it would appear that, for the navy, exclusive of ordnance for the sea service, the sum voted was 19,702,399*l.* :—for the army, including barracks and commissariat, and the military service of Ireland, 17,756,160*l.*; — an additional vote of 90,000*l.* for the barrack department had been agreed to by the House; but the treasury had determined to strike off this sum, and diminish the grant in the appropriation act by that amount. This diminution of charge proceeded from a resolution to postpone the execution of the projected barracks at Mary-le-bone park, and at Bristol and Liverpool. He begged to be distinctly understood on this part of the subject; he by no means meant to insinuate any disapprobation of the plan for the erection of those barracks, on the contrary he thought it probable that a considerable part at least of the plans which had been sanctioned by the votes of the House would be ultimately carried into effect; but his noble friend at the head of the treasury board and he had not sufficiently considered the subject to be able to give a decided opinion upon it, and they had determined not to make themselves responsible for works of great magnitude, and of no immediate necessity, without full consideration. (Hear, hear, from the Opposition benches). Did then the gentlemen opposite think one short and stormy week was ample time for such a consideration? Or did they disapprove of the resolution of government to enquire minutely into the expenditure of the country?

The extraordinaries of the army incurred last year, beyond the sum granted, amounted to 2,300,000*l.* besides which there had been voted for the present year 5,000,000*l.* for Great Britain, and 200,000*l.* for Ireland.

For the ordnance, including Ireland, 5,279,897*l.*

The miscellaneous services, including a few sums not yet proposed to parliament, and 400,000*l.* for the Irish permanent grants, might be taken at 2,350,000*l.*

It was also intended to propose a vote of credit of 3,000,000*l.* for Great Britain, and 200,000*l.* for Ireland. The subsidies granted in the present year were nearly the same as those of the last, being for Sicily 400,000*l.* and for Portugal 2,000,000*l.*

These several items would therefore stand as follows:

SUPPLIES, 1812.

		£.
Navy, exclusive of Ordnance Sea Service		19,702,399
Army, including Barracks, and Commissariat	14,577,698	17,756,160
Ditto, Ireland	3,178,462	
Extraordinaries,		
England	5,000,000	5,200,000
Ireland	200,000	
Unprovided ditto last year		2,300,000
Ordnance, including Ireland		5,279,897
Miscellaneous (including 400,000*l.* Irish Permanent Grants)		2,350,000
Vote of Credit,		
England	3,000,000	3,200,000
Ireland	200,000	
Sicily		400,000
Portugal		2,000,000
Total Joint Charge		58,188,456

To these sums must be added 100,292*l.* for repayment of so much of the Loyalty Loan as had been claimed in the proper form by the holders, and 1,700,000*l.* voted for interest on exchequer bills, being equal to the amount actually paid on that account in the preceding year; it was also proposed that the amount of Exchequer bills to be issued on the aids of the next year should be less by 2,387,600*l.* than those which had been circulated in the year preceding. He felt himself bound to state that this arrangement, which formed part of the intended plan of his late right hon. friend, had been suggested to him by the directors of the Bank of England, who thought that the circulation of exchequer bills had been carried to too great an extent; and this suggestion sufficiently proved that the directors of the Bank were not actuated by that desire which was so often and so unjustly attributed to them, of increasing the gains of their corporation by an unlimited extent of paper currency.

The three items which he had last named, amounting to 4,187,892*l.* constituted the separate charge of Great Britain, and when added to the sum of 58,188,456*l.* which was the total of the supplies he had before stated, made the general amount of 62,376,348*l.* From this was to be deducted the Irish proportion of joint charge, amounting to 6,845,700*l.* and the Irish proportion of the civil list and charges on the consolidated fund, being about 180,000*l.* and making together 7,025,700*l.*

The result was that the total of the supplies to be provided for by Great Britain, was 55,350,648*l.*

Total Joint Charge as above			58,188,456
SEPARATE CHARGE.			
Loyalty Loan	100,292		
Interest on Exchequer Bills	1,700,000		
		1,800,292	
Add amount of Exchequer Bills charged on Aids 1812, outstanding, which it is not intended to replace by the Issue of New Bills		2,387,600	
			4,187,892
Total Supplies			£.62,376,348
Deduct Irish proportion of 58,188,456*l.*		£.6,845,700	
Ditto Civil List, and other Charges		180,000	
			7,025,700
Total on account of England			£.55,350,648

The way in which he proposed to meet this charge, enormous as it appeared to be, was as follows.

The annual duties were taken, as usual, at 3,000,000*l.*; the surplus of the consolidated fund, estimated on grounds which he should presently explain, 3,600,000*l.*; the war taxes, which he should also explain, might, including the property tax, be taken at 20,400,000*l.*; the lottery 300,000*l.*; the loan in the 5 per cent annuities contributed by the subscribers of exchequer bills in the spring of the present year, 6,789,625*l.*; exchequer bills intended to be issued on the vote of credit 3,000,000*l.*; and he should observe that this last sum would make no addition to the unfunded debt, an equal sum granted on the vote of credit of the last year, having been funded and not replaced by any fresh issue; the old naval stores which since the recommendation of the committee on public expenditure, had been carried to the public account, would produce 441,218*l.*

The next item would be the surplus of ways and means of last year, amounting to 2,209,626*l.*; but it would be necessary for him shortly to explain in what manner this surplus arose. Considerable sums had been granted in the year 1811 in exchequer bills charged upon the aids of that year. Of these, together with other exchequer bills, about 5,500,000*l.* had been funded in the spring, and a part of the aids of the year 1811, which had been appropriated to the repayment of these bills, had been thus set free and was applicable to the service of the present year, amounting, after the deduction of a small deficiency of ways and means of 1811, which existed previously to such funding, as stated in the disposition paper before the House, to the sum he had mentioned of 2,209,626*l.*

The only article of ways and means which it remained for him to enumerate, was the loan contracted on the preceding day of 15,650,000*l.*

The various items would, therefore, stand as follows:

WAYS AND MEANS.

	£
Annual Duties	3,000,000
Surplus Consolidated Fund	3,600,000
War Taxes	20,400,000
Lottery	300,000
Loan by Subscribers of Exchequer Bills funded	6,789,625
Vote of Credit	3,000,000
Naval Stores	441,218
Surplus Ways and Means 1811, created by funding part of the Exchequer Bills charged on the Aids of that Year	2,209,626
Loan	15,650,000
	£.55,390,469

The ways and means exceeded the supplies about 40,000*l.*

He would now return to the mode in which the amount of the surplus of the consolidated fund, and of the war taxes, had been calculated.

The surplus of the consolidated fund had been estimated upon the average produce of the principal branches of the revenue in the last three years, adding thereto so much as was necessary to complete the estimate of the yearly receipt of the permanent duties imposed in the last session. The average produce of the customs in that period, with the addition he had mentioned, was 5,106,000*l.*; of the excise 18,188,000*l.*; of the assessed taxes 5,999,000*l.*; of the stamps 5,191,000*l.*; and of the post office 1,240,000*l.* To these principal branches of revenue were to be added other funds of a less considerable, but, generally, of a less fluctuating nature. Of these the principal was the land tax remaining unredeemed, amounting to 1,035,000*l.*; there were also the duty on pensions and personal estates, which would produce 141,000*l.*; the surplus of exchequer fees about 60,000*l.*; the crown lands about 50,000*l.*; and some other small branches of revenue, producing together about 246,000*l.*; and making, together with the greater branches of revenue before stated, in the whole, 37,262,000*l.*; to which adding 2,706,000*l.* of war taxes appropriated to the consolidated fund, the total income of that fund would be 39,958,000*l.*; from which deducting the charge as it stood previously to the loans of the present year, amounting to 34,504,000*l.* there would remain a gross surplus of 5,454,000*l.* From this was first to be deducted the additional charge created by the loans of the present year, amounting to 1,906,000*l.*; but against this charge should be set the expected produce of the taxes of the present year, which, to the 5th of April 1813, might be estimated at 951,500*l.*, deducting which sum, there would remain 954,500*l.* to be deducted from the surplus he had stated of 5,454,000*l.*, leaving a net surplus of 4,499,500*l.* Before this sum could be applied to the service of the year, the sum of 927,000*l.* which still remained due upon, the grant of the preceding year, must however be made good. The remainder which would be applicable to the service of the present year, would therefore be 3,572,500*l.* He should accordingly propose a vote of 3,600,000*l.* as being the nearest round number.

He was aware that it might probably be thought unfair to estimate the produce of the revenue for the present year, upon the average of the three last, as it might be stated that the revenue was gradually declining. This, however, upon an examination of the accounts, would not appear to be the fact. The total produce of all the duties in the quarter ending the 5th of July 1811, fell considerably short, even to the amount of 760,000*l.* of the quarter ending the 5th of July 1810. The quarter ending the 10th of October 1811, fell short, by 469,000*l.* of the corresponding quarter in 1810; but the quarter ending the 5th of January 1812 exceeded the quarter ending the 5th of January 1811, by 31,000*l.*; and the quarter ending the 5th of April 1812 exceeded the corresponding quarter in 1811 by no less than 463,000*l.* a sum much surpassing any increase which the new duties could have occasioned in that quarter, and which sufficiently proved that the revenue was, upon the whole, in an improving state.

He had formed the estimate of the war taxes, in a similar manner, upon the average, of the three years, ending the 5th of April, 1812. The war duties of customs and excise amounted, upon such an average, to 9,502,965*l.* to which were to be added 38,600*l.* for the further expected produce of the duties imposed in the last year, and 500,000*l.* which remained due from the East India Company, on account of tea duties, making, in the whole, of custom and excise duties, 10,041,565*l.* Of the property tax there remained due on the 5th of April 1812, on the assessments of preceding years, 8,515,000*l.* to which was to be added the estimated assessment of the present year, which, supposing it to be equal to the assessment of the last year, would be 12,200,000*l.*, making together 20,715,000*l.* From this was to be deducted the sum still remaining due to make good the grant on the war taxes for 1811, being 7,660,000*l.*; which would leave, for the service of the present year, 13,055,000*l.* and adding that sum to the amount of customs and excise, there would be a total of war taxes of 23,096,000*l.* From this was to be taken 2,706,000*l.* appropriated to the charge of various loans, which would leave for the ways and means of the present year, 20,390,000*l.* a sum approaching very nearly to that of 20,400,000*l.* which he proposed to vote.

It now remained that he should explain the conditions of the loan which had been contracted, and he had to regret that the present situation of the country did not enable him to congratulate the House on so advantageous a bargain as some which had of late years been stated to them. The sum raised on account of Great Britain by the loan concluded the preceding day, was 15,650,000*l.* The capital created on account of this sum was 27,544,000*l.* 3 per cent. stock. The amount of interest 826,320*l.* and of sinking fund and management 283,500*l.* making in all a charge of 1,110,023*l.* The rate of interest to the subscribers would be 5*l.* 5*s.* 7*d.* per cent, and the total charge to the public 7*l.* 1*s.* 10¼*d.* This might appear a high rate of interest, but it should be remembered that, including the former loan in the 5*l.* per cents and the exchequer bills funded, the sum borrowed in the present year had rarely been equalled, and he believed so large a sum had never been raised on better terms in any other period of war. Indeed he feared that the contractors for the loan had more reason to complain of having been hardly dealt by than the public. He should feel happy if the bargain should hereafter prove more profitable to them that it had hitherto promised. Such an improvement of the public credit would be hailed with the greatest satisfaction by his Majesty's ministers.

He must now revert to the former loan, and the funding of exchequer bills; the terms of which having been explained at the proper season by his predecessor, he should only recapitulate with a view of pointing out the amount of charge for which it would be his duty to provide. The exchequer bills funded and the 5*l.* per cent loan, amounted together to 12,221,325*l.* making in 5*l.* per cent stock, a capital of 13,199,031*l.* the interest of which was 659,951*l.* and the sinking fund 131,990*l.* making together with the charge for management 795,901*l.* The rate of interest on this sum was 5*l.* 8*s.* and the total charge 6*l.* 10*s.* 2¾*d.* per cent. The charge to the public, on the whole money transactions of the year, so far as they respected the funded debt, was 6*l.* 16*s.* 9*d.* per cent, and the total amount to be provided for 1,905,924*l.*

He now came to a most important, but certainly the most painful part of his duty; that of proposing taxes by which so large a sum was to be defrayed. It was the more unpleasant to him, as he had felt it necessary, in this part of the arrangement, to make a considerable deviation from the plan of his predecessor. Such a task afforded only an option of difficulties and inconveniencies, and he could, at best, only hope that he had selected such as were least objectionable.

The first article he had to propose was indeed one which appeared to him liable to very little objection, for it was in fact a tax which would fall upon nobody, (A laugh.) Gentlemen might smile, but if it was in other respects unobjectionable, he trusted it would not be censured on that account. His proposition was to discontinue the bounty on the exportation of printed goods. This bounty had grown from a small charge to a very large one, amounting upon an average of the last three years, to the sum of 308,000*l.* a circumstance in one respect highly satisfactory, as it showed the great increase which had taken place in the exportation of those goods, but which also showed at once that the necessity of granting a bounty to encourage this exportation had ceased, and that a considerable resource might be derived from its suppression. The printed goods in question, from the improvement of the manufactures and the extensive use of machinery, could now be afforded much cheaper without the bounty, that they used formerly to be, even with its assistance.

The present state of the world with respect to commerce was peculiarly favourable to the discontinuance of the bounty system. Wherever British manufactures were permitted to enter, their superiority was universally acknowledged; where they did not find their way, it was not on account of their dearness or inferior quality, but because they were excluded by rigorous prohibitions. Whenever these might cease, the country might again expect to see the British manufactures spreading themselves over the continent without the assistance of bounties. That which it was now proposed to discontinue, amounted to no more than one halfpenny a yard on printed goods of the lowest quality, and three halfpence a yard on the highest; an amount much within the ordinary fluctuations of price from accidental causes, and the loss of which could not operate as any discouragement to trade. To him, therefore, this proposition appeared free from all reasonable objection. His task would have been easy if he could have flattered himself that what he had still to propose was equally unobjectionable; but of the remainder of his plan he could only, as he had said before, indulge the hope that, in the choice of evils, he had selected the least.

To the first which he had to propose he felt that it might be reasonably objected that it would, in a certain degree, affect the comforts of the poor; he hoped, however, the burden would be as small as could be expected from a tax producing a considerable increase of revenue. The article to which he alluded was that of tanned Hides and Skins. That it would, in some degree, fall on the poor, by affecting the necessary article of their shoes, he had already admitted, but in other respects, it appeared to him a very fit object of taxation. In the long list of our taxes it was almost the only one on which no additional duty had been laid for a great number of years. The present duties had been imposed so long ago as the years 1709, and 1711, and when he now proposed, after the lapse of a whole century, to double them, he could not consider himself as laying upon the people of this country a heavier burden than their ancestors had borne with reference to the general enhancement of prices, and the proportions they bore to the earnings and incomes of individuals. Another recommendation of this tax on leather, on the present occasion, was the cheap and plentiful supply of the raw material which had, of late years, been introduced from South America. This supply had been estimated as equal to one third of the whole manufacture, and had occasioned a very considerable increase of it, both for home consumption and for exportation. Calculating upon an average of the produce of the present duty for the last three years, the additional duty may be expected to produce 325,000*l.* a year.

The next article which he should propose was also an Excise Duty. It was that of Glass. This duty had been considerably increased in the year 1805, but after an extensive enquiry among the manufacturers, Mr. Perceval had been convinced that an additional tax equal to the present, would not be injurious to the trade. It was not, indeed, probable that the consumption of this country would be lessened by the increase of price which this duty would occasion, as glass was an article very little in use among the lower classes of society; and this was, so far as he could understand, the opinion of the manufacturers themselves, provided they were protected against foreign competition, by sufficient duties on importation, and by proper drawbacks on exportation. The produce of this tax, calculating, as before, on the average of the last three years, would be 328,000*l.*

The next proposition which he wished to make to the committee was to add a duty, equivalent to ten per cent. on those now existing, on Tobacco, an article of extensive, yet of luxurious rather than necessary use, and one which afforded the best criterion of its ability to bear an additional tax, namely, that the consumption of it went on progressively increasing under the present duties. He did not see any reason to believe that this proposed addition would either diminish the consumption or materially increase the frauds upon this article; and estimating the produce on an average similar to those of the former articles, he should take it at 107,000*l.*

His next proposition would be, not for a tax absolutely new, but for a certain regulation of the duty on property sold by auction. It was well known to the committee that estates or other kinds of property were frequently put up to auction, not for the purpose of a fair sale, but of ascertaining their value with a view to a private bargain. They were then bought in, by which the duty was avoided; and afterwards disposed of by private contract, at a price founded upon the biddings which had taken place. It was his wish, as it certainly had been the intention of the legislature, that all persons who obtained the benefit of the competition arising in a public sale, should be subject to the charge which had been imposed upon that advantage. It was, therefore, his intention to propose that property put up to auction should be charged with the duty, whether actually sold or bought in; but that, in case it should appear, at the end of twelve months, to continue to belong to its original owner, the duty should be repaid. In property of large amount it might indeed be reasonable that the owner should, instead of paying down the duty in the first instance, be permitted to give security for it, and regulations to this effect might be introduced in the Bill. It was also well known that many articles, particularly imported merchandize, were exempted from the duty, although sold by public auction. He understood it was a common practice to mingle in sales such privileged goods with those which were not privileged; by which means frauds on the revenue were frequently practised. He should therefore propose that when any goods liable to duty were introduced into a sale of goods which were exempted from it, the whole should be immediately rendered chargeable with the duty. The committee were aware that, from the nature of the case, nothing like an accurate estimate could be formed of the produce of these regulations. On a due consideration of all the circumstances of the case, Mr. Perceval had thought that it would not be over-stated at 100,000*l.* and he (the Chancellor of the Exchequer) saw no reason to form a different opinion.

The articles which he had hitherto enumerated, except the bounty on printed goods, were all duties of excise. The next branch of the revenue to which he should resort, was one which he should have been glad to avoid, if the largeness of the total sum to be raised had not rendered it necessary to diffuse the burden as extensively as possible. It was on the postage of letters.—He should recommend an addition of a penny on every single letter carried more than twenty miles, whether from the metropolis or the provincial post offices. He certainly regretted the necessity of increasing this tax, which operated as a considerable charge on commercial correspondence; yet, when he considered the satisfaction and convenience derived from the establishment of the post office, and the progressive increase of correspondence throughout the country, he really believed that he could suggest no duty which, on the whole, would be paid with less reluctance. This proposed increase might be estimated, according to the present extent of correspondence, at 220,000*l.*

All the articles which he had hitherto submitted to the consideration of the committee, were such as had been selected by his late right hon. friend, and would have formed part of the plan which he would have proposed to parliament. The remainder of the budget would, according to his intention, have been supplied by a tax on private brewing. The committee would recollect that, in the year 1806, when a noble lord, now a member of the other House (the marquis of Lansdowne) held the office which he had now the honour to fill, that noble lord had suggested a similar tax, which was strongly opposed, principally on the ground of its bringing private families under the jurisdiction of the excise; an objection, the full force of which he should have admitted, if the means had not been afforded of avoiding that jurisdiction by an easy commutation, upon the principle of the assessed taxes. The plan of his late right hon. friend was, indeed, free from the objection which he had stated, as it had no reference to the excise, but proceeded upon the principle of a rate, according to the number of each family; to the proposition so modified, he (the Chancellor of the Exchequer) still however thought he saw an insuperable objection. In the first place, he had reason to believe that the produce of the intended duty, taken at the rate of five shillings a head, which he understood to be the proposed assessment, had been greatly miscalculated, and that, instead of 500,000*l.* which was the sum required, it would only produce 250,000*l.* or at the most 300,000*l.* But he felt a still stronger objection to the tax in its unequal operation on the poorer classes. A poor man would only brew the exact quantity required for the consumption of his family, calculated upon the most frugal rate; while a rich man would provide for the entertainments of many visitors, and for the much more liberal consumption of his houshold. The consequence, therefore, would be, that the tax being taken at an equal rate upon each person in the family, the poor man would pay upon each barrel of a much inferior liquor, a higher rate of duty than the rich would be charged with, for the best which could be prepared.

Upon the whole, therefore, he had judged it advisable to abandon this tax, and to propose a moderate addition on the scale of several of the assessed taxes. He knew that a proposition for the increase of the assessed taxes could not fail to excite some alarm; but that branch of the revenue comprehended duties of very different kinds. The duties upon houses and windows, in particular, he considered as the most burdensome to which the country was exposed, and to those duties he proposed to add nothing. But there were others which had an operation similar to that of sumptuary laws, and which, arising out of a voluntary expenditure, might admit of a reasonable increase, without much objection.—In this class he included the duties on men servants, carriages, horses, dogs, and the sports of the field; and these would be the objects of his intended increase of duties. As the proposed scale would in a few days be printed and in every gentleman's hands, he should not take up the time of the committee by a minute detail; but point out the leading article in each class, by which a judgment might be formed. The existing duty on a person keeping one male servant was 2*l.* 4*s.* He proposed to add four shillings, making the duty 2*l.* 8*s.* On occasional gardeners he should propose a similar duty of four shillings. Mercantile agents or riders to commercial houses now pay 1*l.* 8*s.* He proposed that they should pay 2*l.* On stewards and overseers, who had hitherto escaped notice, he should propose a similar rate of 2*l.* Porters employed by persons in trade now paid a duty of 1*l.* 4*s.* He proposed that they should pay 2*l.* and that the same rate should take place with respect to stage coachmen, and other drivers of carriages, except domestic servants and those engaged in husbandry. On occasional waiters, whether employed at taverns or at private houses, he should propose a duty of 1*l.* and this would remove a difficulty which he knew existed in the minds of many persons with respect to the propriety of including individuals of the last class, who perhaps had been only employed for a small number of days in the year, as servants in their general returns to the tax office.

He should however propose that this duty should not attach on any attendant hired less than six times in the year, to avoid too great a pressure upon any occasional extraordinary hospitality.—Servants employed principally in agriculture, but sometimes for domestic purposes, now paid a duty of six shillings. He proposed that, like the occasional gardeners, they should pay four more. The whole amount of the increased duties on male servants he calculated at 155,000*l.*

He would proceed to the consideration of the duty on carriages. A single four wheeled carriage now paid 11*l.* 5*s.* He proposed that it should pay 12*l.* and so in proportion to the present progressive scale, for a larger number. The produce of this increase, and of a proportionate increase on two wheeled carriages would be 39,000*l.*—Horses kept for pleasure now paid a duty of 2*l.* 13*s.* 6*d.* He proposed an addition of 4*s.* making a duty of 2*l.* 17*s.* 6*d.*

He was next bound to state that he deemed it necessary to increase the duty upon horses employed in husbandry by 3*s.* 6*d.* each horse, and though he was aware that many objections were entertained to the principle of the tax, he thought the proposed additional rate could hardly be complained of. Upon horses employed for purposes of trade, which were generally of greater value, and productive of greater profit to their employer, he should propose an additional duty of

10*s.* Taken together, these additional duties may be estimated at 269,000*l.*

It was his intention to propose an increase in the same proportion, in the duty on dogs, except that, in consequence of recommendations which he had received from various quarters, he should propose a higher duty on greyhounds than on other dogs. The reasons for this recommendation were best known to sportsmen, and therefore many gentlemen in the House were better able to judge of it than himself, but it was obvious that the superior value of greyhounds, and the species of amusement which they afforded, might be considered as a sufficient reason for an augmented rate of duty. The increase of the tax on dogs might be estimated at 31,000*l.*

The last increase of assessed taxes which it was his intention to propose was on certificates to gamekeepers, namely, four shillings for gamekeepers who were also assessed as servants, and 10*s.* 6*d.* for persons who were not so assessed. This, he thought, would raise 21,000*l.*

The amount of these augmentations of the assessed taxes, he should therefore calculate at 515,000*l.*; and the whole of the proposed duties would stand as follows:

Customs—By discontinuing the Bounty on Printed Goods exported, taken on average of last 3 years		£.308,000
Excise—Hides and Skins; by doubling the existing duties, on average of the last three years		325,000
Glass ...ditto...ditto		328,000
Tobacco; one-tenth in addition to all the existing duties, on a like average		107,000
Auctions, Regulations, estimated to produce		100,000
Post Office—Addition of one penny on all Letters carried more than 20 miles, estimated to produce		220,000
Assessed Taxes—Male Servants	£.155,000	
Carriages	39,000	
Horses and Dealers	269,000	
Dogs	31,000	
Game Certificates	21,000	—515,000
		£.1,903,000

He was sure that it must be very satisfactory to the House and the public that, after the country had so often seemed to be upon the very point of having exhausted its resources, and after it had been so often stated that no fit subject for taxation remained, it still appeared practicable to provide with so little pressure on the people, and especially on the lower classes of the community, so large a sum as that of which he had just completed the details. It had been his intention, if the attention of the House had not been so completely exhausted, and if he had not himself laboured under an indisposition which made it painful to him to address them, to offer some general observations on the financial situation of the country; but under these circumstances, and having performed that part of his duty which he felt to be strictly necessary, he should now refrain from trespassing longer on their patience, and conclude by moving his first Resolution.

Mr. *Huskisson* observed, that in the present circumstances of the country, he was decidedly of opinion that a more judicious selection of objects could not have been made, than that of his right hon. friend, who had stated his intentions with the utmost candour and explicitness.—When the plan should have undergone some modification in its future stages through the House, he had no doubt that it would be as acceptable as any measure of this character could be in the present state of the resources of the country. He would now, however, with the permission of the committee, call to their recollection a few of those observations which he had thought it his duty to make three sessions ago, and apply some of those facts and examples which subsequent experience had furnished in confirmation of his former reasonings. He had then stated as a general principle, that the only secure means to which the country could look, to enable it to support the arduous and protracted struggle in which it is engaged, was the adoption of every practicable measure of retrenching its expenditure and equalizing it with its income. He had added, that the then existing system of loans and war taxes could not be continued for any great length of time. What had recent changes and events tended to establish? In 1810, the amount of debt funded was upwards of 16 millions; in 1811, 19,500,000*l.*; and now in 1812, to 27,870,000*l.* The state of the public funds at these different periods, corresponded with the increasing demands, and strongly countenanced those apprehensions which he had entertained. The 3 per cent. consols were in 1810, at the time of contracting for the loan, at 70; in 1811, at 65; and in 1812, at 56. The charge of the loan had risen from 6*l.* 4*s.* to 7*l.* 4*s.* To provide for the increased expences under which the nation laboured, the ordinary resources of taxation were not adopted; and the mode pursued in 1810 was one which he could not either then or now approve of, namely, that of interfering with the surplus of the consolidated fund. In 1811 it might be said, that the new taxes were not only adequate to the charges of the year, but that a surplus had arisen from them, capable of discharging the interest of the whole Irish loan. He took shame to himself when he stated, that it was only two days ago that he called for accounts to shew the actual produce of these taxes. An addition was made of 20 per cent. to the taxes on British spirits, and of 12 and a half per cent. on foreign spirits, but he was sure that neither of these would be looked upon as of a permanent nature. If ever they looked to the restoration of peace, they must see that the continuance of such duties could only operate to increase the profits of smugglers, and deprave the morals of the people. The duty on foreign timber imposed in the preceding year, was intended as a discouragement to the importation, and certainly in that sense it was completely successful, but in the same proportion it was injurious to the revenue, yet the calculation on its produce was made without any reference to such a result. In the present year they returned to the ordinary resources, but the very expedient they were driven to before, was in itself a proof of the inadequacy of such resources; this was the first time during the last six years in which any thing like a new taxation was attempted. We had recently taken upon ourselves the provision for paying the interest of the Irish loan, but this provision appeared to be entirely forgotten, unless the Chancellor of the Exchequer for Ireland had included it in his budget. He would proceed to what appeared to him to be the most important part of the subject, and which consequently required from government the most anxious and unceasing attention; he meant the state of the public credit, which had been so much depressed by the heavy demands upon it. The addition to the funded debt of 1810, created a stock of not quite 25 millions and a half, and in 1811 of not quite 28 millions and a half, and even this augmentation had the effect of lowering the funds from 70 to between 50 and 60. The capital stock of the present year, however, to be added to the public debt, was not less than 52 millions, amounting nearly to the whole increase of two years preceding. To what then might we not expect that the price of the funds would shortly be reduced, and what serious consideration did not this momentous subject require from those who had the management of the finances of the empire!—This depression of the public credit, which naturally created such alarm with all thinking men, had not arisen from any national disasters that we had sustained, but it had taken place at a time when the affairs of the state had been conducted with almost unexampled success, and in the face of a sinking fund, of not less than fourteen millions. The terms of the loan that had this year been contracted for, were less favourable than any that had been obtained since 1798: the war taxes then produced little more than four millions, and the sinking fund was in its infancy, not amounting to more than one hundredth part of the national debt; whereas, now it had ascended to an importance which authorised the most sanguine hopes as to its ultimate effects, since it was more than one forty-sixth part of the national debt. In noticing this subject, he could not, in too strong terms, point out to the committee the impolicy of raising money for the public service at such a disadvantageous rate of interest, and it appeared to him that it would be far better to obtain it by general taxes, which would in the end affect the people in a much less degree. This was another reason for attempting by a change of system, if necessary, to invigorate the present debilitated condition of the public credit of the country, particularly at a period when even the necessary demands upon it were so extensive.

He trusted that the committee would allow him to point out a few extraneous circumstances which had caused this depression, and which, if duly attended to, might produce considerable relief. The most important of these was, the extent to which it had been thought necessary, at the sacrifice of our own, to support the credit of Ireland. It was a matter that required immediate investigation, because it might be deemed one of the roots of the evil. What was the condition of the sister kingdom in the year 1812? Last year the interest upon her debt was 4,400,000*l.* exceeding by half a million the whole amount of her revenue; so that in fact, she had no revenue at all which was productive of benefit to the kingdom in general. Since the Union, in the course of 12 years, the addition made to her public debt, was 68,500,000*l.* the interest upon which was 3,190,000*l.* and the increased revenue intended to provide for the payment of that interest, did not exceed 1,370,000*l.* This was the actual condition of her financial concerns since the Union; so that, year after year, they had been gradually proceeding from bad to worse, nor did it appear that they were now in a train to amend. The increase of the charge for the management of the revenue was not less singular. Before the Union it was 350,000*l.* and now it was no less than 900,000*l.* although the revenue itself to be collected had only been augmented 1,370,000*l.*; so that no less than 550,000*l.* was charged for managing 1,370,000*l.* Such a state of things, in his view, imperiously demanded minute and immediate investigation. Although her finances were in this reduced condition, no gentleman denied that no part of the United Kingdom had been, or continued to be, more rapidly improving: the rent of land had enormously risen, the progress made in agriculture had been great, and her manufactures were not materially injured by the war in which we were engaged—yet under all these circumstances, it was not a little singular, that nearly all the produce of the taxes imposed in Ireland had of late years declined in proportion to her prosperity, and her consequent means of paying them. In the year of 1799, the impost upon leather gave a revenue of 55,000*l.* and in 1811, it had fallen to 40,000*l.* though the employment of that article must have amazingly augmented. The same remark would apply to the tax on malt. In 1799, the average quantity on which the duty was charged, was 12,000 barrels, and in the last year, it was only 7,000. To what then was this diminution owing? The hon. member charged no individual, but it appeared to him certain, that besides great laxity in the collection of the revenue, there was something like a connivance at fraud. The country was doubtless deeply indebted to the Chancellor of the Exchequer for Ireland for the unceasing pains he had taken to procure a more adequate collection of the taxes, but he had failed, since nothing but a complete change of system, in his (Mr. Huskisson's) opinion, could effect so desirable an object. The defalcation would appear the more remarkable, when it was known that in Ireland not one direct tax was imposed, and in this respect, that her situation was better than that of any other country of the world, with the exception of the United States. The truth was, that the public credit of Ireland stood much higher than that of Great Britain, and yet this country was lending her assistance she could by no means afford. He would venture to assert, that if by this circumstance, the public credit of Great Britain had not been so grievously injured, the loan just negociated might have been contracted for on terms 5 per cent. better than those actually obtained.

To correct defects in the various respects he had hitherto pointed out, was by no means all that was necessary, because if the system hitherto pursued were to be continued, a revision of our foreign and domestic establishment would be absolutely necessary. The naval and military branches of our expenditure must be closely examined; and it was impossible for any individual, even though he should have spent his whole life in public concerns, to form even a vague calculation as to the result: that it would be highly advantageous to the finances of the nation, was clear, and that it would not be detrimental to its safety and interests, was equally certain; much might however be effected by the revival and invigoration of the public crédit, and let whoever would be ministers, they would not deserve their stations, if they did not make the attempt. It was now too late in the present year to accomplish the design, but he trusted, that in the interval between this and the succeeding session, some plan would be digested, calculated to effect the object in view. It was far from his intention, in the present melancholy state of the interior, to produce despondency; such a feeling should at no time be indulged in a state that only existed to any purpose while it was free, but he was yet to learn that any advantage was to be derived from shrinking from facing our dangers, as, in his opinion, nothing could be gained from a concealment of our real situation. It was true, that in the manufacturing districts distress existed, which cast a general gloom over the prospect of public affairs, but the cloud was transitory, sunshine would soon be restored; and although we might not long be able to continue our foreign exertions to the extent to which they had hitherto been carried, yet he was convinced that the stamina of the nation were unimpaired, and that its resources were in a state of progressive improvement. Further and great sacrifices might be necessary to enable us to support the arduous struggle in which liberty and justice fought against tyranny and artifice, and if they were called for, he was so firmly persuaded of the public spirit of the people, that he was sure they would never be backward to supply the means for continuing the triumphs of our fleets and armies.

Lord *Archibald Hamilton* expatiated upon the impossibility of pursuing the present extended system of policy, and recommended that the income tax should be extended to Ireland. He likewise expressed his strong disapprobation of the terms of the recent loan.

Sir *John Newport*, in consequence of the remarks made by an hon. gentleman upon the state of Ireland, in many of which he concurred, would not defer what he had to say upon the subject until the Irish Budget should be introduced to the notice of the House. The honourable gentleman had certainly noticed many remarkable facts, but one of the most surprising was the comparison of the nominal taxes imposed since the Union, and the real amount which they had produced. In 1799, the revenue of Ireland was 2,400,000*l.* at present it was 4,170,000*l.* and since that year nominal taxes had been laid calculated to produce 4,751,000*l.*; so that if the duties had been fully collected, and the revenue before the Union entirely destroyed, there would have been a surplus of nearly 700,000*l.* The truth was, however, that they had produced nothing, and the revenue at this moment was 400,000*l.* less than in 1808, although taxes had been resorted to, to the amount of 1,200,000*l.* It was not so much by new imposts that the revenue was to be augmented, but by the exertion of former laws, and, perhaps, even by the reduction of some duties that hitherto had existed only in the act of parliament. In the article of malt, although four-tenths had been added to the duty, the sum received had not been increased more than one-seventh. The revenue derived from leather, as had been stated, was diminished, notwithstanding the greater quantity that must necessarily have been employed in consequence of the conversion of Ireland from a grazing into an arable country. The difference between the expence incurred in the collection of the revenue was not less remarkable. In 1808 the customs were collected for 9*l.* 14*s.* 11*d.* per cent. and in 1811 at no less an expence than 20*l.* per cent. The augmentation in the excise department had been in nearly as rapid a ratio. From what did this state of things arise? The honourable member had freely stated, that it in a great degree originated in connivance at fraud by corruption, and he (sir J. Newport) had formerly exposed to the House, and entered upon the Journals, a system of bribery existing in whole bodies of the public officers, although the government would not allow that papers should be produced to make the conviction formally complete. One man, convicted of corruption, had been promoted to a high office, where he had the superintendance and controul of a most important branch of the revenue.—(Name, name! from Mr. W. Pole)—Mr. Beauchamp Hill, and when he (sir J. Newport) moved for documents to prove the fact, he was met by the previous question! He hoped that the British parliament was at length aware of the necessity of enquiring into circumstances which he had never shrunk from stating year after year. On such occasions the only reply he obtained was, that the search for honest revenue officers would be vain, and that it would be far better to be contented with experienced rogues than to substitute ignorant honest men. He would proceed to draw a comparison between the state in which he had left the affairs of Ireland in 1808 and their present condition. When he quited office he left a surplus of one million. What now was the fact? (Mr. W. Pole walked towards the door). He intreated the right honourable gentleman to stay a few moments, unless the contrast was too strong for his feelings. The statement of the actual situation of the finances of Ireland at present doubtless was most painful to the right hon. gentleman who had the management of them. And as the House as well as Mr. Pole must be well acquainted with the deplorable condition in which they were now found, he would not press further the painful comparison. He quoted an adage of king James, that gentlemen resident on their estates were like ships in port, their value and magnitude was felt and acknowledged, but when at a distance, as their size seemed insignificant, so their worth and importance was not duly estimated. He therefore implored Irish members not to remain absent from their possessions when their presence was so useful. He concluded by deprecating the introduction of the Property Tax into the sister island, since its assessment, from the non-residence of the gentry of the country, might be intrusted to improper hands.

Mr. *Bastard* stated his determination to vote against any new taxes before an economical reform were made, or the attempt enforced by some strong resolution of the House. At a time when on the one hand the nation was threatened with bankruptcy, and on the other with famine, he thought that government could not do a wiser thing for the revenue or the people, than to promote the general inclosure of waste lands.

Mr. *W. Fitzgerald* could by no means concur with the hon. member who spoke last, that because an economical reform was not accomplished, it was fit that the vast machine of government should be stopped, and that no supplies should be voted. He concurred in many of the remarks made by the hon. baronet, and particularly in that in which he rather recommended that old taxes should be enforced in Ireland, than that new taxes should be imposed. Much had been said of the great increase of expence in the management of the revenue, but it had not been recollected, or at least not stated, that many causes produced this effect, and among others the increase of the salaries of the officers of the customs, and the purchase of land for the improvement of the docks of Dublin, both of which had absorbed a sum of not less than 200,000*l*. The post-office hitherto had not produced any profit, although the expenditure was charged as a part of the management of the revenue. Last year the revenue had been collected at a less per centage than during the year preceding. As to the tax upon leather so long dwelt upon, it ought not to be forgotten that it was confessed on all hands that great frauds existed, which it was impossible to prevent without a complete change of system, as the right hon. baronet had himself frequently confessed. With regard to the productiveness of the taxes recently imposed, he would ask the right hon. baronet whether the imposts he had resorted to when in office had produced the full amount he expected?—(Hear, hear! from sir J. N.) He was happy to find that the right hon. baronet had been more fortunate than the preceding or succeeding governments. The frauds complained of did not surely deserve as much importance as was attached to them, because, (although he was far from advocating these practices) it was known to be a fact, that the salaries of the revenue officers were in general so inadequate, that they were compelled to resort to them as a means of obtaining a livelihood; they were universal, and had prevailed during many years.

Mr. *Giles* objected to one of the assessed taxes—namely, that on horses employed in husbandry, which he considered very unjust, as the profit on which the property tax was now taken, was already fixed as equivalent to three fourths of the rent; and if the profit was diminished by any increase of taxation, the proportion to be contributed to the property tax should also be diminished.

Mr. *Baring* said, that it was hard to object to the circumstances under which the budget was brought forward, as it had to provide for the interest and charge of the loan; but he argued against the general policy of proceeding from year to year on the present system, which was fallacious, and must in the end prove ruinous. He therefore hoped the right hon. gentleman, between this and the next year, would turn the matter in his mind, and devise some more sound and rational plan. He objected to two of the new taxes—namely, the suppression of the bounty on British cotton goods, and the augmentation of the tax on servants, which was very slight on the idle livery servant and heavy on the productive clerk.

Mr. *Parnell*.—Concurring, Sir, as I do in the general principles which have been urged by the hon. member, and the hon. member opposite, (Mr. Huskisson) I cannot bring myself to approve of that part of their speeches, from which the committee are to conclude, that they rely upon the government for adopting, in the next session, such a system of economy as shall remedy the evil which they have established and complain of. In my opinion, the House ought not to suffer the sessions to close, without a vote to compel the executive government to do that, which, it is allowed on all sides, must be done to save the country from financial failure—for why should we place any such confidence in the present ministers? Two years ago, the hon. gentleman opposite (Mr. Huskisson) declared, that Mr. Perceval was not able to conduct the departments of the state that direct the public expenditure; and, therefore, was incapable of making any economical retrenchment. If that were true, as undoubtedly it was, how can he or the House expect that such a government as the present, which only differs from Mr. Perceval's as being inferior in talent, by the loss of him, will be able to effect an economical reform? The case is now so indisputably made out, by the testimony of the hon. member, (the chairman of the committee of finance,) who has repeatedly said, that many millions of the public expences might be saved—also by the testimony of the hon. member opposite (Mr. Huskisson), who could never propose the equalization of the public income and expenditure, without a conviction in his mind of such a saving being practicable—and, also, by the speech of the Chancellor of the Exchequer, in 1809, who then laid down the same principle, as the only one by which we could save the country from being placed at the feet of the enemy, that some step ought now to be taken to secure the adoption of it. Upon every account it became the House to look forward to the inevitable consequences of persevering in the present system. In 1809, when the receipt of the taxes was fifty-seven millions, the Chancellor of the Exchequer said, he could not contemplate the then annual expenditure of the country, of 83 millions, without great alarm. By his statement of to-night, he has told us the annual expenditure cannot be less than 95,000,000*l.* for Great Britain alone; and the total receipt of the taxes being now 60,000,000*l.* the state of the finances is obviously much worse, and the danger to be apprehended greatly increased.—If we look forward to the possibility of peace being again restored to these countries—if we could go on till that event should occur, without getting worse, such is the amount of the charge for interest, &c. on the public debt, that it would be impossible to get rid of a single tax that has been imposed, under the name of a war tax, and with the intention of continuing it only during the war. Under such circumstances, it became the House, at once to abandon the system of palliatives and expedients, and to adopt in time such measures as should secure to the country, that system of rigid economy, which, alone, could save us from financial bankruptcy.—In regard to the finances of Ireland, the hon. member declared, that it was idle to expect any improvement in the revenue, so long as the present system of applying the whole of the revenue patronage, for parliamentary support, was pursued by the Irish government. In this country, each board of revenue had the certain patronage of its own department. If a member of parliament was to ask the minister for a place in the excise, he would be told that the treasury never interfered. It was the same in the customs, stamps and post-office departments, with the exception of the patent offices. The boards here were held responsible for the collection of the revenue, and the power of collecting it was placed in their hands, by their having an unlimited authority to appoint, promote and dismiss their officers, according to their own discretion. In Ireland the system was altogether the reverse. The boards had no powers—the collection of the revenue was not the object of the appointment to an office, but votes in this House. It was necessary to put an end to this practice, as no new tax, or new regulation could ever be of the smallest avail. There was another great defect in the finance system of Ireland—the want of an efficient controul over the inferior departments. In this country the treasury exercised a constant, upright and severe controul over each board of revenue. In Ireland, it was true, we had a treasury board, but the only result from it was a great expence to the country—its powers were altogether superseded by those of the lord lieutenant—all orders emanated from him—and all were contributing to one purpose only, the acquirement of parliamentary interest. But though he thus complained of the system, he meant not to charge the right hon. gentleman, the Irish Chancellor of the Exchequer, with the defects of that system. The fault was not his, he found it established upon the practice and sanction of many years—he had the merit of doing all that an individual could do, by great activity, zeal and integrity, to put down abuses—but he had wholly failed—and nothing could so completely prove the accuracy of the opinion he had now delivered, than that failure of so much personal exertion to effect a reform.

The different Resolutions were then severally put from the chair and agreed to.

Irish Budget.] Mr. *Wellesley Pole* said, that he rose for the pnrpose of calling the attention of the committee to the Ways and Means of Ireland, which he would endeavour to do as shortly as possible at that late hour, and after having gone through the Supply and Ways and Means, he would offer a few observations on what had fallen from the right hon. baronet, and the other hon. gentleman. In the first instance the supply was, 1,794,000*l.* being the contribution of 1811, there was due of the quota of 1812, 7,611,000*l.* Irish currency, and the interest on the debt of Ireland, up to the 5th of last January, was 4,496,000*l.* making a total of 13,902,000*l.* He should propose to meet this, in the first instance, the surplus of the consolidated fund, amounting to 2,775,000*l.* He next proposed to take the revenue of the current year, which he took at 4,300,000*l.* The net revenue of the last year 4,170,000*l.* The repeal of the bounty on retail spirits 40,000*l.* The regulation of tobacco duties &c. 417,000*l.* The profit on the lottery he calculated at 150,000*l.* the payment of seamen's wages 150,000*l.* — The loan 1,500,000*l.* and 50,000*l.* by treasury bills, making 2,000,000*l.*; and a total of 13,982,000*l.* being an exceeding of 82,000*l.* It was now necessary for him to state the mode of providing for the interest of the loans and the sinking fund, which amounted to 449,000*l.* The loan had been raised by 5 per cent. treasury bills, and the manner of providing for it was by a tax, which had been rather ludicrously alluded to by an hon. gentleman—he meant by a tax on spirits, which he trusted would be found by its produce to cover the loan. He would state to the committee the grounds on which this tax would cover every thing. It would be recollected that a tax had been levied on Irish spirits, amounting to 2*s.* 6*d.* a gallon, which, being doubled, now produced 5*s.* British on the gallon. The consumption of spirits in Ireland, for the year ending on the 5th January, 1812, had been 655,000 gallons; the quantity exported 792,000 gallons. The consumption had been diminished one-fifth by the operation of the duty, leaving 461,000 gallons, which, at the rate of 5*s.* 5*d.* Irish currency, produced 1,248,000*l.* being 260,000*l.* more than last year. He was aware that it might be said, that this statement would not hold good, as distillation was stopped in Ireland; but the committee would recollect, that, previous to the levying of the duty, another measure had been taken to prevent the exportation of spirits, by which a considerable stock remained on hands, the duty on which according to the best information he could procure, would amount to 270,000*l.*; so that there was actually 270,000*l.* of the 449,000*l.* Taking then the stock in hand at the above sum, he had to state the hope of increase from the power granted by the act to the Irish government, to open the distilleries on the 1st of November, in the event of a good harvest; and according to the best information, there never was a more abundant promise; so that it was almost certain that the distilleries would be opened at the time contemplated in the act, namely, the 1st of November. Having stated thus much, he was not inclined to add any more, but was prepared to answer any question put to him. He, however, could not sit down without claiming permission to offer a few observations on what had fallen from the right hon. baronet, and his hon. friend. He denied that because the revenue had not covered all the debts since the Union, that it necessarily followed that disorder and corruption prevailed through the whole system. He would be glad on all these occasions, to come to close quarters with the right hon, baronet, when he had no doubt of being able to refute those vague and general attacks, which he so frequently indulged in. The taxes which had failed did so from unavoidable causes, which ought to be gone fairly into; but the right hon. baronet every session was prepared with a string of accusations, which he threw out against his right hon. friend (Mr. Foster) during his absence.

Sir *John Newport* rose to repel the charge in the most direct and positive terms. He had frequently made those observations, which he felt it his duty to make, in the presence of the right hon. gentleman, and would not suffer himself to be vilified.

Mr. *Pole* said, that he only meant to observe that it had been the constant practice of the right hon. baronet to reiterate those charges which had been already decided on, while he overlooked the improvements which had been made. There was not any branch of the revenue that had not been enquired into, and probed to the quick. It was maligning the officers of the Irish government to say they had not done their duty. The revenue of Ireland had been increased in the last year. In 1811, the customs were collected at 25*l.* 4*s.* 4*d.* and in the present year at 20*l.* 18*s.* The revenue of the post-office was collected at 21*l.* per cent. He was sorry to say they were collected at a greater rate than he wished; but this country paid nearly the same. Some irregularities had taken place with a distiller in Limerick, and four revenue officers there were dismissed from their situations. Some improper transactions took place in the stamp-office, which caused eleven of the persons in situations to be discharged. It was the intention of the Irish government to consolidate the stamp-office.—There was not the same facility in collecting taxes as in England. They ought not to tax Ireland as this country—she was shooting, and, if not oppressed, would come to maturity, and be able to bear all the burthens in proportion with her sister isle. Any person who proposed that an income tax should be laid on in Ireland, must either not know any thing of that country or be a maniac. He concluded with moving, "That towards raising the Supply to be granted to his Majesty, a sum, not exceeding 500,000*l.* be granted to be raised in the issue of treasury bills."

Sir *John Newport* said, as to the stamp duty consolidation, although it had been recommended to the finance committee by the crown, yet they had not done any thing; papers were called for on this subject in February, but they were never produced. Great corruption prevailed, and after it was found out, the persons guilty were afterwards promoted. If the duty on distilleries would be productive, the right hon. gentleman ought to thank the Ways and Means of 1809, and not those of 1812.

Mr. *Huskisson* said, that he was sorry that that warmth which attended the right hon. gentleman (Mr. Wellesley Pole) should have made him misrepresent what he (Mr. H.) had stated. There was no man in that House, or in the country, that respected more than he did the duke of Richmond, but he must repeat what he said before, there was a laxity in collecting the taxes of Ireland.

Mr. *Bankes* thought that a personal tax would be the most consonant to Ireland.

The Resolutions were then agreed to, and the report was ordered to be received to-morrow.

HOUSE OF LORDS.

Thursday, June 18.

Repeal of the Orders in Council.] The Marquis of *Lansdowne* adverted to the rumour of what had passed in another place respecting the determination of his Majesty's ministers on the subject of the commercial policy of the country, and observed, that it was of the greatest importance to the commercial and manufacturing interests of the country, that the intentions of his Majesty's ministers upon this subject should be clearly and distinctly explained. He therefore wished to be informed, whether it was the determination of his Majesty's ministers to revoke or suspend the Orders in Council: if to suspend, for what period they were to be so suspended; and if to revoke, whether that revocation was to be absolute and immediate, or conditional; and if conditional, upon what conditions such revocation was to take place?

Earl *Bathurst* stated, that on the 20th of May last, the American Chargé d'Affaires in this country, communicated to government a Decree of the French government, purporting to be dated April 21, 1811, (but no copy of which Decree had ever been seen in this country, nor in America, the French minister there having acknowledged that he had no copy of any Decree to that effect,) and which declared the Berlin and Milan Decrees revoked so far as regarded America. On the 21st of May, an event took place, which, it was supposed, would lead to a change in the administration. His Majesty's present government had, however, as soon as possible, taken this subject into consideration, and the result was a determination to revoke the Orders in Council conditionally, on a day to be named (allowing sufficient time for such intended revocation to reach the United States) the conditions being, that the government of the United States should admit British ships of war into their ports upon the same terms as the ships of war of other belligerents, and also repeal all their restrictive acts upon our commercial intercourse with the United States. These conditions being complied with, the Orders in Council would cease on the day so to be named. Whether they were to be revived would depend upon the acts of France, or of the United States. An instrument had been drawn up, expressing the determination of government, which would very shortly be published, and until that document was before the House it would be better to defer any discussion upon the subject.

Earl *Grey* agreed in the propriety of deferring any discussion till the instrument alluded to was regularly before the House, but he could not help lamenting the line of policy which ministers had chosen to adopt, instead of the more manly and advantageous course of at once revoking the Orders in Council. It seemed as if ministers had been reluctantly forced into a measure which they most unwillingly adopted, and that they were carrying it into effect in a most ungracious manner.

Why not at once, in a frank and open manner, revoke the Orders in Council, instead of clogging the revocation with conditions which would leave the merchants and manufacturers in doubt how to act, and thus prolong their distresses for a considerable period. He had heard also with great regret, if he rightly understood the noble earl, that the revival of those Orders was to be made to depend upon the acts of France.

Earl *Bathurst* in explanation stated, that what he meant to say was, that the question of the revival of the Orders in Council, would depend either upon the acts of France, or upon arrangements to be made with America.

Earl *Grey* again urged the expediency of immediately revoking the Orders in Council, in a frank and open manner, instead of doing it with doubt and suspicion, and observed, that if ministers adopted the measures proposed by his friends and himself, they ought at least to adopt the manner in which his friends and himself would have carried those measures into effect. He wished, however, to know, whether in the interval between the time of issuing the document alluded to and the day on which, as was stated, the Orders in Council were on certain conditions to cease to operate, those Orders were to have effect.

Earl *Bathurst* stated, that in the interval, American vessels detained under those Orders would be brought into our ports, but that in the event of the American government acceding to the conditions those vessels would be released. On the contrary, if the conditions were not acceded to, then they would be proceeded against for adjudication as prizes.

Earl *Grey* strongly condemned this policy, which encountered the risk of not attaining the object sought, and thus greatly increasing the distresses of our manufacturers for the petty advantage of a few American prizes.

Earl *Stanhope* had never seen or heard any thing more obscure, and more pitiful, than the whole policy of this measure. It was not now to depend upon us, nor on America, but France was made a party. It was to depend on France. He had certainly heard this said. It might be explained away by the noble earl (Bathurst); or perhaps the other noble earl (Liverpool), who played first fiddle on the opposite bench, would contrive to explain it away. But he had heard the words, and he had written them down. So he was at last to understand that the Orders in Council, whether America agreed to our terms or not, were to be revived at the mercy of France. He had hoped that the Orders were dead — gone for ever — dead and buried; but now, when we were to be told that they were to be revived, and that a dash of Buonaparté's pen was to have the power of starving our manufacturers again, in what a pretty situation were we placing ourselves?

The Earl of *Lauderdale* observed, that by the Declaration of his Majesty's government, issued six weeks ago, the Orders in Council were to cease upon the repeal of the Berlin and Milan Decrees. Supposing, therefore, the enemy were to repeal generally those Decrees, and the American government to refuse to accede to the conditions upon which the revocation of our Orders in Council was to depend, those Orders would then be in force not against France, but against the United States, thus completely changing their character, and setting them up on an entirely new principle. By the act of congress the president of the United States was to declare the restrictive acts against the commerce of this country at an end upon the repeal of our Orders in Council. Was it not therefore the obvious policy at once to repeal those Orders, rather than to do it in a manner which might leave him a discretion as to the mode of construing that negociation, and thus delay or defeat the repeal of the restrictive laws.

The Earl of *Liverpool* observed, that if an arrangement of this nature had been to be made with a power near at hand, undoubtedly the best course would have been to have made the arrangement mutual, but with a power so distant as America, the only course we could pursue was, to declare, that on a day to be named (allowing sufficient time for the instrument to reach the United States) the Orders in Council should be revoked upon the American government repealing their restrictive acts on our commerce, and complying with the conditions. This, he thought, was as far as this government could possibly go. As to the question of the revival of the Orders in Council, that must depend upon the acts of France, or upon an arrangement with the United States. It could not of course be expected that we should submit to a state of things in which the French ports were to be freely opened to commerce, and the British ports excluded from the advantages of that commerce; but if our object could be attained without injury to the United States, that might be the subject of an arrangement with their government.

The Earl of *Rosslyn* deprecated the mode resorted to of revoking the Orders in Council, contending, that the president of the United States might thus be left in doubt as to the repeal of their restrictive acts, and that by the delay thus occasioned, the manufacturers of this country might be deprived of their fall shipment for this year, which could only take place within the next two months, and be rendered unable to ship till February in the next year, by which their distress would be greatly increased.

The Earl of *Lauderdale* re-urged his former arguments as to what would be the result if the French government repealed their Decrees generally, and the government of the United States refused to accede to the conditions proposed, as the ground for the revocation of our Orders in Council, and again contended, that by the express words of the act of congress, the president must declare their restrictive acts at an end on the repeal of our Orders in Council; and that, therefore, the only wise course to adopt was to repeal our Orders immediately, instead of leaving, by the mode of revocation, the repeal of the American restrictive acts a matter of doubt.

The Earl of *Liverpool* contended, that a day being named for the revocation of our Orders in Council, the construction of the act of congress must equally apply to the repeal of the American restrictive acts on that day so named.

Earl *Fitzwilliam* very feelingly alluded to the distressed situation of the labouring manufacturers, and was convinced that if the Orders had been revoked immediately by government, the manufacturers and merchants would not have lost a moment in preparing for the American market; but revoked as they were now intended to be, he had no hopes of any good resulting to the country. He wished to know what day this instrument alluded to would be laid before the House?

The Earl of *Liverpool* answered, that he could not name the day, but it would be the earliest opportunity.

Lord *Holland* lamented that the important interests in question should turn upon a point of precedency and etiquette. It reminded him of what sometimes happened at dinner, where he had observed two gentlemen bowing and bowing, in order to give each other the precedency, whilst a third in waiting for them had nearly lost his dinner. Thus while the point of precedency was settling between this government and the governments of France and America, our manufacturers were starving. He contended that the only wise and frank and conciliatory policy would be at once to repeal our Orders in Council, instead of raising a question of doubt as to whether the American restrictive acts would be repealed or not, which would leave our merchants and manufacturers at a loss how to act.

Earl *Bathurst* stated, that when the notification was made by the French government in August, that the Berlin and Milan Decrees would conditionally cease to operate on the 1st of November following, the president of the United States immediately acted upon that notification, and declared that the American restrictive measures would cease to operate on the 1st of November; this was, therefore, a similar case to the present, under the very same act of congress.

CURATES' SALARIES BILL.] On the order of the day for taking into consideration the report of the Curates Bill,

The Earl of *Harrowby* entered into a detail of the non-residence of clergy on their benefices, and of preceding acts for making provision for curates having the care of such benefices, with the view of shewing the necessity there was for making a better provision for stipendiary curates who formed the great mass of the clergy doing duty in parishes. The object of the Bill his lordship stated to be prospective, that on any future induction to benefices the incumbent might clearly understand what was to be the result in case he did not reside, that in all cases the minimum of the salary of the curate should be 80*l.* per annum; but that where the population of the parish amounted to 500, the minimum should be 100*l.*; that where the population exceeded 1000 the minimum should be 150*l.*; and that where the income of the benefice in either of these cases did not amount to the minimum thus enacted, that then the curate should have the whole. These minimum salaries however, to be subject to 30*l.* per annum deduction, where the curate served more than one cure; no person to officiate as a curate who had not been licensed by the bishop. With respect to the present possessors of benefices, the Bill contained provisions, that on their applying for licences for non-residence, they should state certain particulars in order to enable the bishop to regulate with more justice the salary of the curate. His lordship concluded by moving to recommit the Bill.

The Archbishop of *Canterbury* defended the conduct of the bench of bishops with reference to the regulations they had hitherto made with regard to the salaries of curates.

The Bishop of *London* thought the fixing the minimum must be attended with very great difficulty. Sometimes a house might determine a curate to accept of his situation, and sometimes a house might not be attended with any advantage.

The Earl of *Liverpool* defended the principle of the Bill.

Earl *Stanhope* observed, that nothing could be more clear than what the clergy received were salaries, and only salaries; and not to be considered in the light of freehold properties.

The *Lord Chancellor* thought the Bill would break in upon the right of advowson property.

Lord *Holland* said, that were he to admit the principle of the Bill, he did not see how he could resist the principle of equalization altogether. It was a delicate matter to interfere in contracts between man and man.

The Earl of *Harrowby* observed, that the property of the Church was held on the condition of providing for the service of the Church

The Bill was ordered to be recommitted on Tuesday next.

HOUSE OF LORDS.

Friday, June 19.

Negociations for a New Administration.] The Duke of *Athol* rose to ask, whether the pamphlet which he held in his hand (the Correspondence and Documents relative to the late Negociation for forming a New Administration) contained authentic copies of the Correspondence and Documents which had been alluded to in that House, and whether the point on which the last negociation broke off was in that pamphlet truly stated?

The Earl of *Moira* stated, that the pamphlet alluded to did contain authentic copies of the Correspondence and Documents which had been referred to, and that the point on which the Negociation broke off was there truly stated.* His lordship was proceeding to observe that he gave the fullest credit to his noble friends for the public motives by which they had been actuated, when

Lord *Ellenborough* rose to order, and moved that strangers do withdraw.

The *Lord Chancellor* immediately ordered strangers to withdraw.

The House continued sitting about two hours with closed doors.

The following is a tolerably correct summary of the conversation that took place:

The Duke of *Athol* asked, if the correspondence and documents which had been published were authentic, and the several points correctly stated?

The Earl of *Moira* answered, that they were faithful transcripts of the original papers, and correct, except as to a few typographical errors. He stated, that he gave the fullest credit to lords Grey and Grenville, for the purity of the sentiment that guided them in all their late transactions; and required only the same admission for himself. He had acted solely upon public considerations, as they had done. He thought his case fully made out by the papers; but had heard that a construction, different from his, had been put on the last minute; and if his noble friends maintained that, he was glad to be able to meet it there. He was ready to give an answer to any question, and to enter into a full explanation.

Earl *Grey* came there prepared to give a full explanation of his conduct, and of all the circumstances connected with it, and complained that he and his friends were deprived of that justice which they had a right to expect, in losing by the exclusion of strangers the opportunity of laying before the public every part of the late transactions, as far as they were concerned in them. That he had had no share in the publication alluded to, except in requesting that if any thing was published nothing should be omitted. He believed the papers to be accurate, unless indeed as to one or two typographical errors, which rendered the sense of some of his own letters obscure. With respect to the last minute of conversation, he was ready to state the construction that he put upon it, though at variance with one that had been industriously given to the public. It had been said, that he and lord Grenville had acted upon a settled design of humiliating the Prince Regent, and of irritating his feelings.—He disclaimed this as a most foul calumny, and utterly unfounded in truth. It had been said that the question, with respect to the household, was proposed to be forced upon the Prince as a previous and preliminary stipulation. This he utterly denied, and said that it was never intended to propose the subject to the Prince, until the change of the great officers of the houshold should be submitted to his Royal Highness for his approbation, as a part of the general arrangement of the new administration. The subject was stated as a preliminary question to lord Moira, and was necessary, because it had been distinctly announced to them (lords Grey and Grenville) from authority, that it was resolved to maintain these officers in their station. He would ask, whether under those circumstances, it would have been right to risk more delay and embarrassment to the public affairs, or if he was not bound to put such a previous question to his noble friend? He considered their removal to be necessary, and he was confirmed by the opinion of those whom he had consulted, and of others who pressed their opinion upon him. He had never heard of the intended resignation of the houshold from any thing in the shape of authority, and the very loose rumour he did hear was immediately contradicted. Nothing could be farther from their wishes or intentions, than to do any thing that could be offensive to the Prince. They required only the changes that had been usual upon a general change of the government. If they could have believed the resignation to be about to take place, they would have been perfectly satisfied, and would have accepted the arrangement in the manner most agreeable to the Prince, and to the feelings of the individuals concerned in it.

---

* The whole of the Documents relating to the Negociations for forming a New Administration will be found in the Appendix to this Volume.

The Earl of *Moira* declared, that no insinuation of the kind alluded to, had ever slipped from him. He never suspected that there was in their minds any thing so injurious to the country, as a feeling of disrespect to the Prince. He differed, however, in the construction of the minute, and referred to the words of his answer, that "it would be impossible for him (lord Moira), however, to concur in making the exercise of this power positive and indispensable;" and argued that the previous conversation must have rendered those words necessary. His objection was to the establishment of a previous and indispensable condition, which might tie up his hands, and those of any other colleagues he might acquire, from discussing that question afterwards. It was secured by the full powers he had, that the removal of those officers might take place, if the public service should be thought to require it. He had always objected to removals in the houshold, and could refer to a letter of his own published 15 years ago, as a proof that such was then his opinion.* He put the argument to their feelings, and gave it as his opinion that the removal of those officers would have been an unnecessary humiliation of the Prince, and would set the seal of office to accredit every ribbald tale of scandal that had been circulated in this town. The report of the intended resignation by certain lords of the houshold had been regarded by him as an impatient ebullition of heat, which did not bind men to act upon it. He considered it as a menace to deter him from bringing forward into administration lords Grey and Grenville. If he had known it more authentically, he would have kept it back from them out of pure respect, from a persuasion that they would scorn to give up the assertion of a principle, and avail themselves of the resignation as a subterfuge to smooth their way to power.

Lord *Erskine* regretted that he had not foreseen the possibility of a difference in the construction of the minute, or he would have taken care that his noble friends should have clearly understood each other. He did not however think their difference very considerable. Lord Grey and lord Grenville must have adverted to all the circumstances of last year and of the present, and of the manner in which the proposal came to them, and it was incumbent upon them to see that they had all the securities that had been usual upon changes of administration, to enable them to carry on the functions of government with effect. The removal of the houshold was to be part of the new arrangement, and could not be purposed to take place till the new ministry was formed. He understood that the first act of the new administration must necessarily be the removal of those officers. The question was proposed from excess of candour, because it was known that lord Moira had strong objections to it. Lord Moira had the power to make or to refuse to make the administration, and from the words of his answer, that " he could not concur in making the exercise of this power positive and indispensable in the formation of the administration," he agreed that he thought lord Moira must have understood, not that the removal was to be proposed as a previous stipulation to the Prince, but as a point stated to his lordship as to be a fundamental and necessary part of the new arrangement when it should be formed. The noble earl (lord Moira) objected to it upon two grounds, that it would give countenance to the calumnies which had been circulated with respect to the Prince, and also that it would encourage the slanders against those whom his Royal Highness was particularly bound to protect. That with the knowledge, that such removals were to be the first act of the administration, he could not concur in forming it, and he therefore put an end to the conversation.

---

* In a letter written by earl Moira to colonel M'Mahon, dated June 25, 1797, when he had been applied to by some gentlemen in the House of Commons to try to form an Administration, to the exclusion of Mr. Fox and Mr. Pitt, the noble lord wrote as follows: "Of my friends I demanded this condition, that no removal should be made in the houshold, post-office, mint, or any other department not immediately connected with ministerial functions!"

The Earl of *Moira* asked lord Erskine, if he had not himself inserted the word 'indispensible,' to mark the sense more strongly?

Lord *Erskine* in reply, contended, that the word " indispensable" added nothing to the meaning conveyed by the word " positive."

Lord *Headfort* rose to confirm what had been stated in another place by his noble friend lord Yarmouth, that in a conversation long prior to the interruption of the negociations, the great officers of the houshold had declared their determination to resign if lords Grey and Grenville came into the administration; and that though he held an office much inferior in consideration, yet dear to him as it placed him near the person of the Prince, whom he loved and revered, he resolved to resign also.

Earl *Spencer* said, that he entertained the same opinion with his noble friends, that it was a vital and constitutional principle in the formation of an administration, that it should have the full, fair, and evident confidence of the crown. That if any blame attached to them either as having proposed this question prematurely, or having persisted in it too pertinaciously, he must take a share of that blame to himself. He not only concurred in their views, but had strongly advised the measure. For in a conversation with lord Moira, some days before his noble friends met him, he had entered into a full discussion of the question, and heard all his arguments, and knew the extent and strength of the objections lord Moira felt to the removal of the houshold, which he himself had considered as absolutely necessary. He thought it his duty to apprize his noble friends of lord Moira's feelings and objections, and that with the knowledge that his opinions were directly contrary to theirs, it was indispensably necessary that they should bring forward that question in the first instance. That the wish to urge that point in a manner at all offensive to the Prince, had not been attributed to him by any body from whom the imputation was worthy of notice. That to have made the usual changes in the great offices of the houshold, so far from tending to confirm any rumour injurious to the Prince, would, in his opinion, have had a directly contrary effect—and that, in his opinion, to have retained them contrary to the usual and established practice, was most likely to create such an impression on the public mind.

Lord *Grenville* stated, that they distinctly expressed their opinion, that in the consideration of the arrangements of the government, the changes to be made in the houshold should be submitted to the Prince Regent, not as a preliminary point, but as a part of those arrangements subject to his Royal Highness's approbation. The general principle for which they had contended, of being at liberty to consider any points which they judged useful for the Prince's service, had been admitted in the outset of the conversation. They knew that they differed from lord Moira upon few points, but upon the question of the changes in the houshold, they knew his opinion to be different from theirs, and candour required that they should state that question, and bring it forward. No man could believe he could have a wish to degrade the Prince; he appealed to the whole of his public life as a proof of his uniform desire to uphold the honour of the sovereign, which he considered as most important and essential to the interest of the country. He indignantly disclaimed the imputation that had been thrown out against them. It now appeared that the great officers of the houshold had entertained an opinion, that upon a total change of system it became them not to hold their situations; and he could not now doubt that they had intended to resign. He must approve and praise the propriety of that resolution, but must observe that they thereby distinctly recognized the principle stated in this paper, "that the connection of the great officers of the court with the political administration should be clearly established in its first arrangement." He must claim the benefit of the fact, that he was utterly ignorant of such resolution. He had indeed heard many and contradictory rumours, upon which it would have been impossible to act. Notwithstanding what lord Moira had said upon that subject, he must consider it as most unfortunate, if that intention to resign was entertained, that the communication of it was withheld from those who, if they had possessed that knowledge, would have been relieved from the difficulty, the existence of which precluded all further progress in the conversation. He must contend, that the propriety of their conduct could not be argued or decided upon there; that every public man must be at liberty to judge for himself, when the acceptance of office is proposed to him, whether there may exist any circumstances which, in his opinion, may prevent him from rendering his services useful to the Prince and to the country, and that he is not to be called into question for acting upon such feelings.

The *Lord Chancellor* concluded the conversation, by deprecating discussions of that nature, as tending to embarrass the Prince in the formation of all future administrations, and conjured the House to put an end to them for the present by adjourning. [Their lordships accordingly adjourned.]

HOUSE OF COMMONS.

Friday, June 19.

Leather Tax.] On the question for bringing up the report of the Committee of Ways and Means,

Mr. *Brougham* expressed a wish that the right hon. the Chancellor of the Exchequer would agree to postpone it, as he intended to object to the tax on leather, as well as to that imposed on servants employed in husbandry.

The *Chancellor of the Exchequer* said he had no objection to postpone so much of it as related to the resolutions alluded to by the hon. and learned gentleman; but as much as related to the loan, it was of importance to the contractors that they should agree to it immediately.

The Report was then brought up, and ordered to be taken into further consideration on Monday.

Repeal of the Orders in Council—Call of the House.] Lord *Castlereagh* moved that the order of the day for the Call of the House should be read, for the purpose of its being discharged, when

Mr. *Brougham* rose and said, that after what had passed on Tuesday night, he little thought it would be necessary for him again to trouble the House upon the subject of the Orders of Council. He little thought that, in so short a space as three days, any thing could have taken place on that point which could make it requisite for him to persist in hanging over the heads of members, many of whom were remaining in town to the great injury of their affairs, the necessary measure of a Call of the House. Little did he imagine, indeed, after what had occurred on Tuesday night last, after what was then said by a noble lord opposite, and in the confidence of which he had withdrawn his motion, though, had he persisted in it, he was sure every object of it would have been obtained upon a division—little did he imagine that there would have existed any subsequent cause, imposing upon him the painful necessity of again standing up in that House, upon the question of the Orders in Council. He did hope from the explanations of the noble lord, from the various interrogatories that were put to him, which interrogatories were followed up by other statements on the part of the noble lord, that there was an end of the question. Those hopes he shared with all the great mercantile persons in London, and with all the great trading and manufacturing districts: he had received letters from various parts of England, where the happy tidings had arrived, all teeming with expressions of joy and exultation at the event; a joy and exultation so honest, so sincere, so gratifying, that if the House could hear them they would rejoice in what they had done, even if their labours produced no greater extension of happiness. But how bitter would be their disappointment, to find that they had been juggled; that in substance, there was to be no conciliation with America; that the Orders in Council were not in fact, to be given up; and that nothing was to be done by which one tittle of benefit would be obtained for this country? It was distinctly understood in the House on Tuesday—at least he so understood it, and he was sure many of his hon. friends did—that they were to be immediately suspended; but now they would not be suspended until the expiration of six weeks, or at least until some negociator could be shipped off for America, and a communication from the government of the United States returned. A limited time, also, for the suspension was now talked of; but he understood no such thing on Tuesday: now, however, they were to be revived at the expiration of six months, unless a certain something was done. And what was that certain something? Why, unless France revoked her Berlin and Milan Decrees; or, in the event of her not revoking them, unless America made common cause with us against France. Was that a revocation of the Orders in Council? Was that a suspension? The merchants of the country were fooled, and that House was fooled, by what he would pronounce a mere mockery on the part of government. Every hour since last Tuesday had produced some new retractation by the ministers, of what was then understood to be their intention. It now appeared that during that suspension—so to call a thing which he knew not how to name—every American vessel sailing to England would be equally brought into England, not indeed for adjudication, but till it should be known whether America would act as we wished her. If she did so act, then they would be at liberty to pursue their voyage after such delay and difficulty and inconvenience; but if America should not accede to our proposals, then they were to be proceeded against in our prize courts. And could that be called conciliation? Could that be considered as an open, frank, and manly proceeding, or as a niggardly, stingy, shuffling, and prevaricating measure? And were not the dignity and honour of the country more compromised by the manner of the concession, than by the concession itself? His object in calling upon the attention of ministers, was to implore them not to commit themselves by issuing any act, which should be just strong enough to do mischief, and to sacrifice principle, without producing one particle of good to the country. There was yet time to retract, and he had good hopes they would, for it was evident they would give up any thing rather than their places. (Hear, hear, and laughing!) He and his friends were only asking them to give up a measure—and they had been doing nothing else the last week but giving up measures. First, there was colonel M'Mahon, then the Barracks at Mary-le-bone, and afterwards those at Bristol and Liverpool, and next, as he thought, the Orders in Council; and really all those measures were exactly such as they should have recommended, so that the country was going on now precisely the same as if the two sides of the House had changed places, with this remarkable feature in favour of the noble lord and his colleagues, and most consolatory to their feelings, that they were not banished to the dark and dreary night of opposition. (Hear, and laughter!) He did not wish, however, to wander into any thing like gaiety. He felt, too deeply, that by the measures, the prevaricating measures, which it was intended to adopt, they were only sowing the seeds of new contention, new retaliations, and increased misery for the country. How different from the manner in which it was supposed the question was carried on Tuesday! As soon as it was known that the Orders in Council were to be suspended immediately, new life and vigour were infused into the commercial world—haste and activity prevailed on all sides, and nothing was witnessed but joy. He had seen and conversed with merchants who had large and extensive dealings with America. One of them had transactions to the amount of one million sterling; and another had actually prepared to export to that amount, which exportation alone would have given employment to 100,000 individuals in the manufacturing districts of Yorkshire. To-day, however, every act of trade was suspended; not a shipment was going on, and all in consequence of the explanation which had taken place last night, on the part of the ministers, to a body of the witnesses who were in town, and who waited upon them for that purpose. The proposition which was now to be made to America was, as he understood it, that the Orders in Council should be revived unless France abolished her Berlin and Milan Decrees, or, unless America made common cause with England against France, if she did not abolish them. Surely such a proposition was enough to justify him in calling upon the noble lord and his colleagues, so to conduct their measures, that they might at least carry with them a decisive character. But what would be the effect of the one they now proposed? It was making it rest altogether upon the will of Buonaparté. This, however, he could tell them, that if they hung the opening of the American market upon any thing which Buonaparté would do, it would never be opened. France would rather perish than do that which might benefit us. What, in fact, was the substance of such a measure? we were afraid of France; we dreaded her power; but she was beyond our reach to injure: America, however, we could touch; she was a weaker power, and her we were resolved to touch: we called upon her to intercede for us, with respect to France, and if she refused, we were determined to make her the sufferer. Was that the way in which a great nation like this should proceed? He called upon the noble lord and his colleagues to pursue a different course; one that was frank, manly, and dignified, and one that might accomplish the necessary object, that of an immediate relief to the thousands of starving manufacturers, who hung in breathless expectation upon the event of their conduct. He should conclude by giving a notice of a motion on Wednesday next, upon the subject of the Orders in Council, unless, before that time, any act of the government should appear which might substantially accomplish the suspension of those Orders. The hon. and learned gentleman also moved, that the order for the call of the House should stand for Thursday next.

Lord *Castlereagh* observed, that he had never listened to an argument more founded upon misrepresentation than the one which had been used by the hon. and learned gentleman, towards whom he could safely assert, that neither he nor his colleagues felt the slightest sentiment of gratitude for his forbearance in not dividing the House on Tuesday last, confident as he was, that had a division taken place, the result would not have been what the hon. and learned member so certainly anticipated; in fact, had he not felt that it would have been an unworthy triumph, he himself should have pressed the subject to a division. (Hear, hear! and laughter from the Opposition!) He was not at all disposed to discuss the arguments of the hon. and learned gentleman, grounded, as they were, wholly upon the most extraordinary misconception and misrepresentation. He thought any discussion of the subject would come much better after the authentic act of the government was in the possession of the House; but at the same time he could not but reprobate that system of persons who were admitted to interviews with official men going immediately to members of parliament to communicate the result of such interviews, that their loose and vague accounts might be afterwards seriously brought forward in that House. Such a practice could only tend to make persons in office decline, altogether, any conferences of that description. He would assert also, that what had been said by the hon. and learned gentleman was not an accurate representation of what government intended to do. He should wave all further discussion till the act of the government appeared, and he would let that act speak for itself.

Mr. *Ponsonby* wished to know from the noble lord, when it was probable the document to which he alluded would be laid before the House?

Lord *Castlereagh* replied, that, in the first place, it was necessary to have the document in existence, before it could be produced: and next, that it should be called for by parliament. He believed, however, that it would be published either in the Gazette of Saturday or Tuesday.

Mr. *Ponsonby* begged to assure the noble lord, that he never meant to ask for the production of any document which was not in existence.

General *Gascoyne* said, that whatever doubt might exist on the revocation of the Orders in Council, there could be none on the necessity for a clear understanding upon the subject. He therefore called on his Majesty's ministers to inform the manufacturing interests what their intentions were, before they became further implicated in making any exports.

Lord *Castlereagh* said, that no man was justified in acting on what passed in that House, until an act of government gave it an authentic shape.

Mr. *Rose*, adverting to what had fallen from Mr. Brougham, relative to the awakened hopes of the merchants in London, said, that he had never seen a greater gloom in the city than upon that occasion. (A laugh.)

Mr. *Brougham* said, the gloom observed by the right hon. gentleman must have arisen from the largeness of the new loan, and not the expected revocation of the Orders in Council.

Mr. *Rose* said, that though a certain proportion of the London merchants might have had their hopes raised, yet, it was well known, that the great majority of them, as well as those of Liverpool and Bristol, were against annulling the Orders in Council.

Mr. *Baring* said, that if any gloom did exist, the right hon. gentleman should charge it upon his colleagues, whose measure it was. He dwelt upon the importance of coming to a specific decision, and determining either to support the Orders in Council, or to give them up immediately. He disapproved of the House interfering with the negociation by any discussion, if it could with propriety be avoided.

Mr. *Wilberforce* thought, that if any concession was made, it should be made in such a form as would induce America to open her ports to us at once. Nothing could be more injurious than to take a measure which would create great expectations without fulfilling them, or which would lead the President to doubt the spirit by which they were dictated. Many conditional orders were given for the shipment of goods in which a misunderstanding might produce the worst consequences.

Mr. *Canning* expressed a hope that a case would never occur to require the instrument to be brought before the House, as the tendency of such a proceeding might be to injure the negociations. He knew that there was great evil in uncertainty, and that almost any decision was better. If they gave up the principle, they should give it up in a way to produce the greatest possible advantage to the manufacturers, and if they could conceive that the President would omit to do what the Congress had enabled him, it was necessary that our terms should be clear, that it might appear the fault was on his side, not ours.

The call of the House was then fixed for Thursday next.

NEGOCIATIONS FOR FORMING A NEW ADMINISTRATION—MR. SHERIDAN'S EXPLANATION.] Mr. *W. Fitzgerald*, after congratulating the right hon. gentleman (Mr. Sheridan) on his recovery, informed the House, that he had been empowered by a noble earl (Yarmouth) to express his sincere regret, that he was precluded by a severe indisposition, which confined him to his bed, from attending his duty in his place that day. He (lord Yarmouth) could have wished to have been present, from the nature of the discussion, to answer any questions which might have been put to him, and he did express a hope that the question might be deferred, but the right hon. gentleman seeming anxious to persevere, he deemed it due to his own honour, and due to the House, to express the regret he felt at being absent, an absence which nothing but inevitable necessity could have caused. It might appear extraordinary that he (Mr. W. Fitzgerald) who was not concerned in the transaction, should be the bearer of this message; but as he happened to be present at a conversation between the right hon. gentleman (Mr. Sheridan) and the noble lord, the noble lord was desirous that he should make this statement.

Mr. *Sheridan.*—I can vouch, Sir, for the precise truth of all which the hon. gentleman has stated; I called upon the noble lord in my way down to the House, and I saw, with regret, that it was impossible he could be present. I did also state to him, that as I considered that part of the question which related to our conversation, as a mere marginal thing, nothing but an episode, in respect to what I was most anxious to lay before the House, I would abstain from it altogether; and having said thus much, I shall proceed to explain my motives for the motion which I intend to make. The House will probably indulge me with a greater latitude, as I understand that in another place which it is not regular to name, persons have been excluded from the expected discussion, and thus one of the usual channels closed to the information of the public.

Sir, passing by with a single word this fact, that whatever misapprehension may have arisen in the public mind upon my conduct, there has been none between me and the noble lord, I shall hasten to the assertion of my right hon. friend, that I utterly disbelieved any such resignation as that of the houshold was in contemplation; and that in addition, as a clencher, I offered to make a bet with him.—[Here Mr. Tierney said No, it was not with him.]—Well then, that I offered to make a bet with somebody, or with any body, of five hundred guineas upon the subject. Now, Sir, there is something unlikely upon the face of this story, of this offer of mine to bet with him, with every body, or with any body; I, who never bet with any body, nor ever play for a single guinea. I wish he had said that I offered to stake the money, and then I am sure nobody would have believed it. However, I'll not cavil about it: I'll give him this 500*l.* bet, that is, I'll not give him the money, but I'll give him the bet. At the same time, if every loose word that is uttered at the moment—as for example—a friend says to me, the houshold are going to resign—I reply, I'll bet you five hundred guineas they do not—if every casual expression like that is to be brought down to the House, and made a subject of grave accusation, I protest I shall take care how I answer to a friend who meets me in St. James's street, and says, How do you do?—I will take three minutes to consider of my reply; and even then, shall be shy of answering, unless a witness is by, who can minute down my words, exactly as they fall from my lips. However, [illegible] will concede to him the fact, that I did say, I'll bet you five hundred pounds the houshold will not resign—five shillings would have been more likely—but why did I say it? My right hon. friend said to me, I hear the houshold are going to resign; I replied, I did not believe it. And why did I not believe it? I had never heard a syllable about the intention of the houshold, till the noble lord himself told it to me; and when my right hon. friend spoke to me, I knew that resignation was contingent upon a circumstance which, at the moment of the bet, was more remote from taking place than ever. Is that an intelligible answer?

But now, having answered him, let me ask a question, in my turn, of the right hon. gentleman? Did I not express my surprise to him, that any thing could have arisen to interrupt the negociations that were then taking place?—And the answer of my right hon. friend was, that the noble lords required that earl Moira should obtain from the Prince Regent full power to consult with them individually in the formation of a new administration. Earl Moira wrote to the noble lords a letter, dated June 3d, in which he offered a renewal of the negociations, and on the evening of that day, I had the honour of meeting my right hon. friend (Mr. Ponsonby) at the duke of Bedford's. He said to me, "We hear, Sheridan, that you are of opinion the negociation can be renewed between earl Moira and lords Grey and Grenville:—We do not think so." I answered, perhaps the difference of opinion arises from lord Moira's letter being inaccurately worded; but that there was one thing which I knew, and which they could not dispute with me, and that was the sincere intention of lord Moira to renew the negociations. For next day but one after that, lord Moira wrote a minute in the presence of the duke of Bedford, which he sent to lords Grey and Grenville, and in the evening when I met the duke of Bedford, he told me I was right in my assertion, as to the sincere intention of lord Moira to renew the negociations. On the 5th, I certainly did communicate to lord Moira what lords Grey and Grenville expected, which the noble earl thought conclusive, and broke off the business.

I sincerely regretted this termination of the affair, and immediately sent an express into the country to my hon. friend on my right (Mr. Whitbread). When he came to town, I communicated upon the subject with my lord Erskine, stating that I did not think the answer of the noble lords conclusive, as to breaking off the negociation altogether. We met at lord Erskine's: lord Erskine put the question to my hon. friend, if he thought the negociation was conclusively broken off by the answer of the noble lords. He replied he did not; and that instant the noble earl wrote to the Prince Regent to obtain the power required by the noble lords. By this statement it appears, that from first to last I never omitted an opportunity of exerting myself in favour of the noble lords; and I must add, that I found, with the deepest regret, next day, that the negociation had been once more broken off upon that *sine qua non*, the dismissal of the houshold. I did not conceive it possible, when they did meet, but that the negociation would have been brought to a successful issue, and the first I heard of its failure was on Monday the 8th of June, when a friend asking me what was to be done in the House? I replied, nothing, I supposed, but moving for a new writ in the place of Mr. Canning; and he told me that lord Liverpool was appointed prime minister.

Now, Sir, I wish to offer a few words upon what I said the other night, that if my advice had been followed, not one of the right hon. and hon. gentlemen opposite, would be sitting in their places. I hope they did not consider that as springing from any personal animosity towards them: I protest to God, it was no such thing, for I have a personal respect and esteem for them all—neither was I influenced by the vote of this House, by which they had, as it were, been cashiered. I said what I did say in the same sense as that which I said of Mr. Perceval when it fell to my lot to announce his death in the town-hall at Stafford, where I am glad by the way to observe the knowledge of that event was received in a very different and in a much more generous manner than in some other places. I said it in the same sense as I then said of Mr. Perceval, that had he lived I could scarcely have expected ever to give him a vote. My objection to them is, that they are avowedly arrayed and embodied against a principle, that of concession to the Catholics of Ireland, which I think, and must always think, essential to the safety of this empire. I will never give my vote to any administration that opposes the question of Catholic Emancipation; I will not consent to receive a furlough upon that particular question, even though a ministry were carrying every other that I wished. I will not support an administration merely upon theunderstanding that the Catholic question is to be taken into consideration; for it may be taken into consideration with no other view than that of proving it not to be the way to benefit Ireland. I wish to see negociation entered upon with fairness and sincerity towards the Catholics, with concessions on both sides, so as to make it popular in this country, and that no alarm may be created. I am not one of those who would grant absolute unconditional concession to the Catholics; let proper guards and securities be provided, and let negociation be commenced with them upon a basis of sincerity; but my doubt is, that this negociation cannot be carried on by those, who in their hearts are hostile to the cause. Proposals from such will never be adequately received by the Catholics; but if they proceeded from persons, whose intentions they knew to be fair and open, without any trick or fraud, then we should see them met with corresponding fairness and integrity.

In fine, I think the situation of Ireland a paramount consideration. If they were to be the last words I should ever utter in this House, I should say, "Be just to Ireland as you value your own honour—be just to Ireland as you value your own peace." I repeat my assurance to the right hon. gentlemen opposite, that in using the expression alluded to, I meant no disrespect or incivility to them. I address myself more particularly to the noble lord (Castlereagh), and trust that he will agree with me that the sooner the claims of the Irish Catholics can now be granted the better. When it is seen that ministers are giving up other things to which they were as much pledged, as they ever were to resistance to the Catholic claims—that they have conceded the point relative to the barracks—that they have abandoned the Orders in Council—for abandoned they are; although in a sloping, confused, and unintelligible manner—when they were seen to have yielded in these respects, I hope they will not make the Catholic question the only exception, but will give it up also. If the noble lord and his colleagues are content to do all the paltry and minute business of office, to undertake the journeywork of the state, and to adopt all the suggestions of those who are generally described as their opponents, I confess that I, for one, cannot figure a more complete coalition, or one more likely to be advantageous to the country. It is impossible that my right hon. friends on the side of the House on which I sit can object to such a mode of proceeding; and the country must surely at length confess, that they have got a most broad-bottomed administration. When gentlemen talk of a strong and vigorous administration, I conceive that they must mean an administration composed of men who draw together, and concur in great leading principles; but when an administration is composed of persons who entertain contradictory opinions, however able the individuals may be, I cannot look for strength or public confidence in such an administration. I do not like coalitions between men of conflicting opinions. Looking to a man whom I loved more than I ever loved, or ever can love any other political character—one of the greatest and best men whom this country ever saw, and whose loss the country has now so much cause to deplore—I mean Mr. Fox; I cannot but regret more than any other act of that right hon. gentleman's life, his coalition with lord North, believing, as I do, that the mind of the country has never recovered from that shock, as far as my right hon. friend was concerned. I am of opinion, that another coalition, which it was attempted to bring about between the same right hon. gentleman and another of his political opponents (Mr. Pitt), would also have done much mischief; and impressed with this idea, I did all in my power to support the noble lord (Sidmouth) against their united attacks. I did so, from finding in all the measures and conduct of that noble lord, and from what I had uniformly observed in him, that he was impressed with a firm determination to do that which he conceived to be right. (A laugh.) I am sorry to see what I have said as to this noble lord received with a sneer. That noble lord did more to re-establish the finances—more to increase the force of the country—and more to revivify the constitution, then in a most exhausted state, than any minister we had had for many years. (A laugh.) I should like to hear what I have stated disproved, rather than answered by a sneer. That in the course which I pursued in giving my humble support to lord Sidmouth's administration I was actuated by no personal or selfish motives is obvious from one simple fact. While that administration was in power, a very valuable situation was offered to me through a noble earl, lord St. Vincent, for my son. This, though offered more than once, my son refused, on the ground that his accepting it might seem to cast a stain on the support which I had been in the habit of giving to government. For the correctness of this statement I can appeal to the noble lord himself, and I can appeal to my right hon. friend near me (Mr. Tierney). In speaking of the formation of the administration, I cannot help remarking, that the House of Commons on one day, by a majority of two, found that the then administration was not fit, and then on a subsequent day, declared their competency by a majority of 125; yet these ministers during the interval, acquired no new strength. To what then can I attribute this change of sentiment, if it be not owing to the opinion of the House and the country being against the conduct of those with whom the negociation has been going on? I think the House might have been satisfied with one vote on such a subject. Even one interference in a question of that kind is a strong measure. There is but a thin partition between negativing and nominating in such cases as these; and I think that the second attempt had, too, the appearance of the wish to usurp the power of nominating to the Prince Regent the individual persons who should be his ministers. I feel regret that the negociation for the formation of an efficient administration, comprehending the two noble lords alluded to, has failed; but having so failed, I do wish that an attempt had been made to form an administration without them, but still without resorting to the former men. I wish that an attempt may be made to save the country, after what we have seen, without applying either to that party which rejected power, or to that which has accepted or retained it, by bringing forward a party new to the public, of whom the public can approve; for I will never endure that such a libel shall be cast on the present state of society, on the nobility, gentry, and commoners of the country, that there is such a dearth of talent in the land, that this great country must be suffered to go drooping to perdition, because there are none but those two parties competent to direct its energies. All I can say of those papers which have been printed, and which I hold in my hand, is that I cannot look upon them but with feelings of sincere regret, that such changes as I have lived to witness, should take place. I think that the publication of the proceedings of a negociation such as that which has just taken place, are most injurious. Sir, I can remember the time when two honourable men could go into a room to confer on the formation of a government without deeming such a precaution necessary, as appears of late to be thought indispensible. What is the consequence of the premature publication of the negociation? What, but to set all classes to the discussion of them in every private and public house, and by such discussions to divide those who ought to be more firmly united, and thus increase our difficulties at home, while our divisions encourage the enemies of the country abroad. I wish an embargo could be enforced, which would keep these things from going abroad, to let the nations of Europe know, that while we ought to be all concord and harmony among ourselves such divisions exist among us. Sir, I conclude by moving—"That an humble Address be presented to his royal highness the Prince Regent, praying, that he will be graciously pleased to give directions, that there be laid before this House any documents addressed to his Royal Highness relating to the late Negociations for the formation of an Administration, in consequence of the Address of this House of the 21st of May, as far as his Royal Highness may judge such documents may, with propriety, be communicated to parliament."

Lord *R. Seymour* stated, that not only were his noble relatives and himself determined to have resigned their situations in the houshold, but they took the greatest pains to publish their determination. He assured the House he might greatly strengthen this declaration if he were to appeal to gentlemen to whom this determination had been communicated. He entered his protest against quoting members of that House for opinions or expressions loosely given by them in conversation out of it. It was not by such means as these that gentlemen were likely to improve either the debates in that House, or private conversation. No man felt greater pleasure than he did in the speeches of the right hon. gentleman (Mr. Tierney), but that pleasure must be greatly diminished if the subject was to be the conversation of two brothers, of whom he was one, as to the conduct of their third brother. If the right hon. gentleman had had such information as that with which he had favoured the House, communicated to him by him (lord R. Seymour) personally, he was certain he would not have thought it fit that he should make it a subject of discussion in the House; and hearing it, as he did, at second hand, he thought the right hon. gentleman might have doubted the truth of it. In establishing his main point, however, the right hon. gentleman had forgotten what was due to him (lord R. Seymour) and his brother.

Mr. *Tierney* observed, that after the manner in which he had been alluded to, it would be impossible for him to remain silent. The situation in which he stood he felt extremely unpleasant, inasmuch as imputations were thrown out against him, which he could not contemplate without considerable pain. The noble lord who had just sat down, seemed to have arisen with an impression on his mind, that in something which had fallen from him (Mr. Tierney) in the course of debate, he had travelled out of the usual line of discussion, and improperly introduced what he had gathered in conversation with individuals without doors. He begged to assure the noble lord, that in whatever he had been induced to say of him, or of the conversations which he had had with him, he did not mean any personal disrespect, nor indeed did he feel that he had transgressed that line of conduct which every gentleman was at liberty to adopt, under the peculiar circumstances attending the situation in which he stood. What he had said had been forced from him by the language which had been uttered by the noble lord, the vice chamberlain (lord Yarmouth.) In the course of the speech which that noble lord had delivered to the House, on the night of the motion of an hon. friend of his (Mr. Wortley), he made a statement which produced a very considerable effect, and gave rise to a triumphant party cry from gentlemen on the opposite side of the House, as if he had established the overthrow of all those pretensions to public confidence, which the noble earls Grey and Grenville, to whom he had alluded, were most anxious never to lose; in the course of that statement, insinuating that when the noble lords had stipulated for the dismissal of the household, they had shewn a disposition to humiliate his Royal Highness; and assuming as a reason, that at the time they made that stipulation, they were perfectly well acquainted with the fact of the houshold having asked permission to resign, but were determined not to receive that resignation as a matter of accommodation, but a matter of right; and that they therefore thought proper, with the view of humiliating the Prince, to demand that which had already been conceded. In all this he personally had nothing to do; but feeling, as he did, the strongest sentiments of respect and attachment to the noble lords whose conduct had thus unworthily been called in question, with one of whom he had lived in the closest intimacy from his early youth, he conceived he should not be fulfilling his duty were he not to use every exertion in his power to repel a charge so inconsistent with the known characters and high honour of those noble lords. This it was which brought him in contact with his right hon. friend (Mr. Sheridan), and this it was which induced him to recapitulate conversations, which, under any other circumstances, he should have abstained from alluding to. He mentioned the names of the noble lord and his brother, merely with a view of shewing the manner in which the conversation commenced, being anxious that the facts might be clearly and perfectly understood. He certainly did feel himself under considerable embarrassment on applying to one brother, and finding, from his information, that the third brother (the marquis of Hertford) had not resigned, while the other brother, the noble lord (lord Seymour), stated, that he had resigned. But even supposing one brother did think the marquis had resigned, and the other did not, he hoped there was no imputation against either, and he was certainly unconscious of any breach of private confidence in having mentioned the conversation which he had had with them.—He did wish to ascertain whether the household had resigned or not, and in applying to the two brothers, he thought he was likely to obtain the information he required; but, from the contrariety of their statements, he was reduced to the state of embarrassment which afterwards led to his conversation with his right hon. friend (Mr. Sheridan.) Previous to the negociation commenced by the earl of Moira, he explained to his right hon. friend the situation in which he stood, and asked him whether he could tell him if any resignation had taken place? The answer he received, though much played with by his right hon. friend, was not denied. His right hon. friend had treated the subject with a considerable degree of pleasantry and good humour, but he had not gainsayed one single syllable of what he (Mr. Tierney) had on a former night stated to have been his answer, which was, in substance, "that so far from resigning, they had no such thing in contemplation." If the right honourable gentleman said he did not say so, then he (Mr. Tierney) must suppose that he was mistaken. From the best of his recollection, however, these were the words which were uttered, and to which, as far as he at present felt, he was ready to pledge himself. As to the bet of 500 guineas, he mentioned that fact, not from any importance that he could attach to the circumstance itself, but with a view to shew the accuracy with which he called to mind the whole of the conversation. He was satisfied that the right hon. gentleman could not have meant to offer him a bet of that description, but simply said in the ordinary language of conversation that he would lay a wager with any body, that the representation he had made was founded in fact. With these impressions on his mind, and hearing the observations which fell from the vice-chamberlain, he could not refrain from stating to the House, with a view of doing justice to his two noble friends, what he conceived to be the precise state of facts, and that statement he believed his right hon. friend would not deny—(Here Mr. Sheridan expressed dissent.) Since his right honourable friend totally denied the correctness of his statement, he must, of course, conclude that he had completely mistaken what he had said, and must apologize to several honourable gentlemen, to whom he had communicated the impression on his mind, that no resignation was intended. As, however, his right hon. friend had admitted that he offered a wager, he would be glad to ask him upon what, or with reference to what, he had made that offer?—He hoped his right honourable friend would acquit him of any intention to misquote him designedly, and begged to assure him, that but for what had fallen from the vice-chamberlain, he would never have mentioned one word of their conversation. Feeling, however, he was almost inclined to say the clamour which the speech of that noble lord had created, he felt himself called upon to state what he conceived to be a just view of the facts, from his anxiety to rescue the character of his noble friends from an imputation as foul as it was unjust. He would now advert to the conversation which had been alluded to by his right hon. friend. His right hon. friend had stated, that he (Mr. Tierney) had asked him whether or not lord Moira had recieved a distinct authority to concert with lords Grey and Grenville for the formation of an administration? He denied that the statement of his right honourable friend was correct, and begged leave to relate what actually did pass. He did not mention the names of lords Grey and Grenville, in the way which was represented, but said, that it would be right to have the ministry constituted in the old established way—by the crown confiding to some one individual the power of effecting that object; and this he illustrated, by mentioning the case of lord Grenville at the death of Mr. Pitt, who received instructions to form an administration, to prepare a sketch of his plan, and to consult with any persons he might think proper, as on all former occasions.—This was distinctly what he said, and this was the language which he held on other occasions, when alluding to the same subject. The fact charged against the noble lords, of having known that it was the intention of the houshold to resign, he firmly believed, indeed, he could positively assert, was not consistent with truth, any more than the charge that they had insisted as a *sine qua non*, and as a preliminary stipulation, that the houshold should be dismissed. There was no such stipulation, nor was the subject ever agitated in that form. A preliminary question was put to the noble lord by lord Moira, which having been answered in the negative, the negociation was immediately broken off. If lord Moira had said he had authority to treat on the subject then the negociation would have proceeded. As for the speech of his right hon. friend, generally, he confessed that he could not distinctly understand it. The first branch of it on a former night treated upon the liberty of the press, for which his right hon. friend declared himself to be the most disinterested advocate, and of this the House had heard much before. He seemed anxious, however, that there should be one exception to this said liberty, and that was when it went to affect himself. Let who might feel the lash, his right hon. friend must stand exempt. A great deal had also been said by his right hon. friend about coalition, to which he by no means declared himself partial. If his partialities were not very strong, he certainly was not averse to such a course, a circumstance which was very evident, from his being desirous at that moment to form a coalition in a most extraordinary way; that was, between an hon. friend near him (Mr. Whitbread) and a right hon. gent. who had just left his place opposite (Mr. Canning). His right hon. friend had then entertained the House with the most marked eulogiums on the administration of lord Sidmouth; and yet it was a well-known fact, that during the whole of that administration, of which he spoke in such high terms, they never had to thank him for one single vote on any one measure which they had brought forward. His right hon. friend had talked a great deal of the impropriety of sneers, but he (Mr. Tierney) thought, if his memory had not misled him, or if he had not mistaken the case, his right hon. friend had frequently kept the House in convulsions for half an hour together, by a series of sneers of the most humorous description. Amongst other circumstances of this description, he recollected his right hon. friend on a particular transaction, having afforded considerable amusement to the House by a translation of an epigram from Martial, which he had applied, with the happiest effect, to the very noble lord to whose various qualifications he had borne such ample testimony that day. These, however, were collateral topics which his right hon. friend had introduced, for what purpose he knew not, except for the purpose of taking the same opportunity of expressing distinctly how much he disapproved of the conduct of the two noble lords for having suffered the negociation to go off on account of the question respecting the houshold. With respect to the question of his right hon. friend, as to the course pursued by his son, Mr. Thomas Sheridan, on a place being offered to him by lord St. Vincent, he (Mr. Tierney) was the bearer of the message to Mr. T. Sheridan, and was ready to admit, that, in the most honourable way, he refused the offer in question, until he consulted his father; and, finally, by the advice of his father, declined accepting the office altogether. Thus far he was ready to admit, more he would not say, unless his right hon. friend desired it. If he did not wish him to say more, he would not, and all that passed subsequently should remain buried in his breast. As to the conduct of his noble friends, he was satisfied if the thing was to do over again, knowing no more than what they then did, that they would not be justified in adopting any course other than what they had adopted. If the possession of certain powers was held up to the public as a manifestation of the confidence of the court, it was but fair that those powers should be vested in them, in order, at least, that it might be seen, that they possessed the confidence of the illustrious character under whom they were about to act. Upon the whole, he felt, that if he had not made the statements which he had made, and detailed the conversations which he had detailed, he should not have done justice to his noble friends. The result, however, of their conduct had been, for want of better, to have the right hon. gentlemen opposite continued in the administration; whose situation had not been inaptly described by one of themselves, with whom he had conversed on the night of the discussion relative to the Orders in Council, and who said, "we shall go on very happily and contentedly together; you carry all the measures; we keep all the places."

Mr. *Sheridan* declined replying to the observation of his right hon. friend at that moment, hoping that the House would indulge him with a few minutes hereafter, when he would have an opportunity of answering any further remarks which might be made in the course of the discussion.

Mr. *Ponsonby* said, that the memory of his right hon. friend who had just sat down had not served him accurately in detailing the conversation which he had had with him (Mr. Ponsonby.) The circumstances of the last conversation were these:—they were in the same room together, along with many other persons, some of whom stated to him (Mr. Ponsonby) that a report had gone abroad that lord Moira had made a proposition to lords Grey and Grenville to form an administration, which they had peremptorily rejected. He immediately observed, that he knew of no such occurrence, and, understanding that his right hon. friend (Mr. Sheridan) had said so, he went to him, told him what was reported, and asked him whether he had said so or not? To which his right hon. friend answered in the negative. Upon which he (Mr. Ponsonby) said he was quite satisfied, for he knew it was not the case. His right hon. friend then said, in allusion to what had passed at his (Mr. Ponsonby's) house, that lord Moira had expressed a wish that a certain letter which he had written, had been read along with the other papers; to which he (Mr. Ponsonby) answered, that even if he had known his wishes he should have taken the liberty to decline complying with them, on the ground of the letter in question not being sanctioned by the illustrious individual at whose instance the negociation commenced. His right hon. friend then went on to say that the noble lord had considered that letter as a continuation of the negociation. To this he replied, it might be so, but if the noble lord wished to continue the negociation by that letter, he had not executed his purpose well. He then stated to him that the marquis Wellesley had written on the same subject, and had distinctly expressed a desire that his letter should not be acted upon, inasmuch as he did not consider it authentic. This was what passed on that occasion, and it was upon this ground he felt himself justified in not reading that letter to the House. He hoped now, that this matter was clear to the House, and that they were satisfied that his right hon. friend, at the time of this communication, knew nothing of those circumstances which had since been explained. Whatever change might have been in contemplation, there would not alone have been a change of administration, but a general change of measures, such as a revocation of the Orders in Council, and concession to the Catholics. Under such a complete alteration in system, and indeed under any circumstances, it had been admitted by the ablest statesmen, that it was essential to shew to the country, that the new ministers were placed in the same situation with the old ministers, in point of confidence with the crown, and power in the cabinet; and also that the officers of the court, and the officers of the state, were on the same footing, as to political sentiment. It was upon that principle that his noble friends had differed from lord Moira, and in that principle no man more entirely concurred with them than he did. He concurred so strongly, that if his noble friends had acquiesced in the proposition to form an administration without receiving those marks of confidence from the crown for which they had originally so properly stipulated, as one humble individual, he would not have held office with or under them—a determination which was formed upon the most deliberate consideration of the subject.

Mr. *Martin*, of Galway, was desirous of making one or two observations upon what had fallen from the right hon. gentleman opposite. With regard to what had been said of the Roman Catholics, he could not help thinking feelings had been attributed to them, which neither their former conduct, nor the anticipation of their future proceedings could justify. Would it be contended, that the Catholics of Ireland would be less content to receive emancipation from the hands of the present ministers, than from the hands of gentlemen selected from the other side of the House? He had the honour of being in the confidence of a very respectable body of those individuals, and he could assure the House that no such sentiments prevailed in their hearts, or were likely to come into their heads. In his opinion, when he considered the opposition which had hitherto been given by the present administration to the grant of the Catholic Claims, and the fact of their having become converts to the expediency of a measure which they had so long and so strenuously combated; the measure of emancipation appeared to him to be more likely to be received with satisfaction and with confidence from their hands, than if it came from the hands of men whose every nerve had been hitherto strained to gain an object so long desired by the people of Ireland. The nation would feel satisfied, that a concession, under such circumstances, must have been made under mature deliberation, and those who had hitherto felt inclined to resist the Catholic Claims, would rest satisfied, that before the measure was conceded, every caution would be taken to preserve the Protestant ascendancy, and the interests of religion at large. Adverting to the terms which had been proposed by lords Grey and Grenville, as the grounds upon which they would be disposed to take office, he contended that their demands were of an unreasonable and unjustifiable nature, and bore more the features of a disposition to humiliate and affront the Prince Regent, than a desire to consult the welfare of their country by a cordial co-operation in such an administration as was calculated in these times to meet the public exigencies, and to uphold that independence which had hitherto marked the career of Great Britain. To impute to any individuals, whether in or out of office, either directly or indirectly, the practice of using a private influence over the mind of their sovereign, so as to counteract the effects of the advice of his sworn counsellors, and to demand the dismissal of those individuals in consequence, was not alone a direct insult, but, in plain terms, signified that the illustrious person, whose feelings seemed so little to be regarded, was so weak, that he had not the power to judge between right and wrong.

Mr. *Whitbread* was almost at a loss how to address the House on the present occasion, his share, if it could be called so, or rather his knowledge of the late negociations had been so very trifling.—When they commenced, he was absent in the country on public duty. He had there received letters from one of the noble lords so often alluded to, acquainting him with some of the particulars of what had taken place, and he hastened to town to do what good he could on the occasion. In doing this he was convinced he was serving his country—for the services of the two noble lords in the present critical circumstances, he considered as necessary to the salvation of the empire. With their principles he had been long acquainted, and entirely approved of them; at the same time he admired their talents and their integrity—nor was his opinion biassed in the present instance, by his near connection with one of the noble lords, although strengthened by all the endearments of private friendship. On his arrival in town he had the honour, for the first time in his life, of an interview with lord Moira at his lordship's house, in the presence of his right hon. friend (Mr. Sheridan) and of lord Erskine. After some conversation in which he stated his superficial knowledge of what had already taken place, lord Moira condescendingly placed into his hands all the papers which had passed on both sides, and which were already before the public by some unaccountable means, which he could not sufficiently disapprove. After perusing those papers he intimated to lord Moira his opinion, that lords Grey and Grenville's note, declining further verbal communication, unless officially authorized by his royal highness the Prince Regent, did not amount to a refusal to listen to overtures, and that they appeared to him perfectly justified in adopting that line of conduct. In this opinion he was supported by his right hon. friend, and by lord Erskine; and lord Moira, acquiescing in their sentiments, wrote in their presence to his Royal Highness, applying for that official authority. During his stay at lord Moira's, not a word was said about the houshold, or houshold officers; and when the application to the Prince had been written, he took his leave of lord Moira, observing, that as he had no secrets for lord Grey, he should acquaint him with what had taken place in his presence. It was, however, too late to go to lord Grey's, and he therefore wrote a short note to let him know what had occurred. He felt himself bound to bear his testimony to the anxious wishes expressed by lord Moira to give the country the advantages of such talents as those of lord Grey and lord Grenville; and his right hon. friend (Mr. Sheridan) had also expressed the greatest solicitude, and used his utmost efforts for the same purpose. He then returned to the country to complete the public duty which had occasioned his first absence. There he learned on the succeeding Sunday that the negociations had been broken off; but as he was not called up to express his opinion on that failure, he hoped that the House would allow him to retain his private sentiments on the subject.

Mr. *Sheridan* replied to the observations which had been made in the course of the debate. The House, no doubt, would duly appreciate the honourable testimony which his hon. friend had just borne to the whole of his conduct—which conduct had, as his hon. friend had stated, been authorised by the earl of Moira. It would be seen, from what had passed, that his character was not that of an intriguing caballer, endeavouring to keep certain persons from the administration; but that, on the contrary, he had acted a consistent part; that part had been an eager and anxious effort to the utmost of his humble power to produce that extended and efficient administration which the country was desirous of having. He could not avoid expressing his indignation at the attempts which had been made to injure his fame and reputation in the country, by the circulation of reports as infamous as they were false; and he had taken the earliest opportunity of coming down to the House to move for those papers which would effectually remove all injurious impressions against him. The first intimation which he had of the charges, was on Thursday, and on the Friday he intended to move for the papers, but there being no House, he came down on the Saturday, and gave notice of his intention. His right hon. friend must have known that his real motive in making the observations which he had made, was the vindication of his own honour and character, and not with any view of maligning the characters of the two noble lords. His motives, therefore, must have been misunderstood. His right hon. friend, surely, did not set so little value upon character as not to be anxious, if his character had been grossly attacked, to vindicate it from any foul aspersions which might be cast upon it. Was it then extraordinary that he should be alive to the value of character—that he should be extremely anxious not to suffer any stigma to remain upon it? Surely his right hon. friend did not hold his own public character so cheap, as not to be aware that it became necessary to disavow any improper or insidious interference on the instant the knowledge of such imputations was conveyed to him. Instead of his object being to traduce and malign the characters of the two noble lords, he had only in view the vindication of his own. He had never said, nor did he believe, that their conduct had not been the most honourable—he had given them full credit for the purity of their motives—he felt the necessity which urged one of the noble lords to redeem that pledge which he had given in another place; but the adherence to that pledge he at the time thought would lose him the esteem of the country. With respect to the conversation which had passed between his right hon. friend and him, a great part of the House must have imagined, that after the declaration made by the noble lord (lord Yarmouth) on Monday (whose illness and absence he this night regretted) no conversation had actually taken place. What he had stated to his right hon. friend, as to the resignation of the houshold, was, as he had already informed the House, that their going out of office depended on a contingency, and so he had told his right hon. friend. The communication was made to him (Mr. S.), not as the channel which was to convey the intelligence to the noble lords, for the noble lord (lord Yarmouth) knew that he (Mr. S.) was one of the last persons to whom the authority for making such a communication would have been given. The noble lord knew that he was not in the habit of having political communications with lord Grey, much less with lord Grenville. A message of that nature he would not have taken, for such a message would in effect have amounted to a menace, or, in other words, it was converting the houshold officers into a cabinet upon the occasion. Was it an office proper that his noble friend earl Moira and himself should fill? Was it right that the noble lord (lord Yarmouth) should ask and expect that the noble earl and himself should stand for ten minutes at the pleasure of the houshold lords, as a species of centinels, watching the precise point of time when the ten minutes should expire, to carry the intelligence to the two noble lords who were to form the new cabinet? He trusted he had proved, in what he had stated, that it was an unmanly and ungrateful mode of proceeding to attempt to injure him in the estimation of the country, by representing him in the journal over which his friends had the controul, as a person who was playing an insidious game—as a person who, in order to obtain some private end, was endeavouring to prevent the accession to office of some of his nearest and oldest connections. Such conduct was furthest from his view—such conduct was alien to his heart; in all his public life, he had never sacrificed either his private or public feelings to unworthy objects. The House would do him justice in believing, that no base motive influenced his conduct; he had no interested views. Men who played a double part had some object to gain. What had he gained? Where could any man point at the places he had obtained for his friends; the pensions he had burthened the country with, or the sinecures he had secured for himself? Under these considerations, he hoped the House would see that it was necessary he should vindicate his honour and character, and that he had so done. Nothing could have given him more satisfaction than to have united his friends in the service of the country, so that in the moment of danger they might have presented a bold and fair front against the common enemy. He did not believe the fact of the resignation of the officers of the household; because the contingency on which alone it was understood their resignation would be necessary, was at that period more distant than ever.

Mr. *Tierney.*—Then my right hon. friend admits he did say that there was no conception of their resigning.

Lord *Castlereagh* apprehended, that as the right hon. gentleman had made the motion with a view to give an explanation to some parts of his conduct, and that explanation having been afforded, he would not press it to a division. He thought there had been quite enough of discussion upon it. He should have been disposed to accede to the motion, if any thing could thereby have been furnished to lead to any practical benefit to the right hon. gentleman's character. In disposing of the motion, therefore, by a direct negative, he was anxious the House should express their opinion of the manner of bringing questions of such a nature before parliament. Confidential communications in respect to the formation of an administration were not fit subjects for discussion in parliament—and, he hoped, would not receive its sanction. The present subject had gone the length of a discussion, which, if tolerated on future occasions, might threaten the existence of the best interests of the country.

Mr. *Sheridan* was not disposed to press his motion. It conveyed the strongest censure upon the charges against him, which it was possible to convey—for it went to call for official documents, when, in fact, there were none to lay before the House.

Sir *F. Burdett* rose, merely to observe with satisfaction, which he had no doubt would be felt by the country, that every thing had been done by his royal highness the Prince Regent to carry into effect the wishes expressed in the Address of the 1st of May. As to those wishes, he was convinced, that a change of men, without a change of measures, would not lead to any beneficial result; at the same time, he thought the House would not be doing amiss, if they returned thanks to his Royal Highness for his candid conduct upon the trying occasion.

Mr. *Hutchinson* thought the wishes and expectations, and still more, the wants of the country, had not been attended to in the formation of the present administration. He should not say in what quarter the blame lay. But if he had only one day to live, he should say, that he was certain there had been bad faith in the negociation somewhere; and he had no hesitation in saying, that he believed in his conscience that lords Grey and Grenville had not been fairly dealt by.

The motion was then negatived.

ADMIRALTY REGISTRAR'S BILL.] Mr. *Henry Martin* rose to bring in his promised Bill for the purpose of regulating the office of Registrar of the High Court of Admiralty. The hon. and learned gentleman stated the grounds on which he rested the introduction of this Bill, and recommended it to the adoption of the House. The professed object of it was to secure to the suitors in the courts of Admiralty that property which, on their behalf, was entrusted to the custody of the Registrar. A Bill of a similar character had passed into a law, in the reign of George 1, to regulate the funds in the Court of Chancery. It was in the recollection of the House, that he had recently submitted various motions, the end of which had been to lay before the House all possible information as to the nature of the office in question, and the emoluments of whatever kind, accruing to the present holder—a noble lord, a member of the other House. The production of some of these documents had been agreed to, while others had been refused. From what was actually before the House, it appeared that the fees payable to lord Arden amount to 30,000*l.* per annum, and that a sum of 200,000*l.* belonging to suitors was the average sum in his hands, which he employed to his own private advantage, and from which it also appeared that he had been in the practice of deriving no less a sum than 7,000*l.* per annum. In addition to all this he had to state what had not been allowed to be authentically laid before them, that there was a sum vested in Exchequer bills, producing an interest of 44,000*l.* the distribution and destination of which he had not been able to ascertain. The hon. and learned gentleman then entered into a minute detail of the provisions of his Bill, and concluded by moving that it be read a first time.

Sir *W. Scott* objected to the principle of the Bill as unnecessary, no grounds having been laid on any examples of fraud in the administration of the property, which it was the pretended purpose of the Bill to secure. The persons referred to in the character of sureties were chiefly foreigners, who might be injured by having their property vested in the funds and subjected to all their fluctuations. With respect to the detailed provisions of the Bill, he could see no other result likely to be produced except that of inconvenience to the court. He should move, therefore, as an amendment, that the Bill be read that day six months.

Sir *S. Romilly* rose to defend the principle of the Bill, not to enter into those details which would be better reserved for the consideration of that committee, which he had heard no argument from the right hon. and learned gentleman, to induce him to think that it was not their solemn duty to go into. It was most important that a just decision should be had on the question whether a public officer, appointed to guard the property of suitors in a court of justice, was justified in applying that property to his own private advantage. He had been told indeed that these suitors were foreigners, but he considered this as only forming an additional argument, an argument founded on the dignity and character of the country, for giving to the property of those individuals all the protection and security which it was in their power to bestow. In his judgment it certainly was an illegal use of the money, and in his opinion a suit might be maintained for the recovery of all the profits derived from that use. The hon. and learned gentleman quoted a decision in Chancery, on a Bill filed by lord Lonsdale against a person who held a lucrative office, that of receiver at the harbour of Whitehaven, in which it had been expressly laid down, that such use of monies was contrary to law. He then referred to the case of lord Macclesfield, who had been impeached for practices not very dissimilar; and asked the House if they would now sanction what they had once declared to be a high crime and misdemeanour?

The *Solicitor General* contended that the question of illegality ought to be decided in a court of law, as his hon. and learned friend had admitted it might be, when he gave it as his opinion, that a suit might be maintained for the recovery of the interest out of the hands of the officers of the Admiralty Court. Supposing it necessary, however, for the House to decide the question, this Bill did not effect that object. Upon this point, too, he well remembered that a question had been put to the twelve judges, in the case of lord Melville—whether the making use of public money, even after an act passed regulating the appropriation of that money, was or was not a high crime and misdemeanor, who all answered unanimously in the negative. He conceived the Bill to be perfectly unnecessary.

Sir *S. Romilly* explained, that he had not said the making use of money in the way described, was a criminal offence, but merely that it was illegal, and that a civil suit might be maintained for the recovery of all the profits derived therefrom.

Mr. *Whitbread* maintained that no greater difficulty could exist in sending money to, and drawing it from the Bank, than in depositing it at any other place. He reminded the hon. and learned gentleman, that if lord Melville had been proceeded against for restitution, by a civil process, no defence could have availed, but that this proceeding merged in the criminal prosecution.

Sir *J. Nicholl* opposed the Bill on two grounds, first, because there was no existing evil, which called for the interposition of parliament; and next, because the remedy proposed for that which was apprehended, was improper and inconvenient.

Mr. *H. Smith* said, the object of the Bill was not to do away the functions of the Registrar of the Court of Admiralty, but merely to make the Bank of England his banker.

Mr. *Wilberforce* observed, that in a return made a few years ago by the Registrar of the Admiralty of the profits of his office, nothing was stated as arising from the interests of the property of suitors, which looked like an admission that he did not consider this a source of legal profit. He would move the adjournment of this debate to that day se'nnight.

Sir *John Newport* asked if the profit from interest of monies of suitors was legal, why it was not included in the return?

Mr. *Martin* said, the object of the Bill was to assimilate the practice of the Court of Admiralty as much as possible to that of the Court of Chancery. The Bill was copied from another brought in in 1810, by the late Chancellor of the Exchequer, which never passed, and, what was singular enough, it seemed then quite unexceptionable in principle to the three learned gentlemen who had expressed themselves so differently that night.

Lord *Castlereagh* said, if his objection to the Bill rested on its enactments, it would then, in parliamentary fairness, be proper that it should go to a committee, where the necessary alterations might be made; but his objection, which was of a preliminary nature, was this, that, if the House proceeded to legislate on this subject, in the way proposed, they would interfere with the rights of an individual, under a vested patent.

Lord *Cochrane* supported the Bill, and stated, that the abuses in the courts of Admiralty entailed on the country an expence of between five and six millions, which he was ready to prove at the bar.

Mr. *Rose* defended the conduct of the Courts of Admiralty.

The House divided on Mr. Wilberforce's amendment—

For it....................................28
Against it 64
Majority ....—36

They then divided on sir W. Scott's Amendment—

For it....................................65
Against it 27
Majority ....—38

The Bill was consequently lost.

List of the Minority.

Bagenal, W.
Babington, H.
Bennet, hon. H.
Blackburne, J.
Bowyer, sir G.
Burdett, sir F.
Buske, W.
Cochrane, Lord
Eden, hon. G.
French, H.
Hamilton, lord A.
Hurst, R.
Lemon, sir W.
Lemon, C.
Lockhart, J.
Lyttleton, hon. W.
Mills, W.
Monck, sir C.
Newport, sir J.
Romilly, sir S.
Smith, J.
Smith, H.
Smith, W.
Sinclair, G.
Tierney, rt. hon. G.
Westerne, C.
Whitbread, S.
Wilberforce, W.

TELLERS.

H. Bankes.
H. Martin,

HOUSE OF COMMONS.

Monday, June 22.

MR. PALMER'S CLAIMS.] Colonel Palmer moved the second reading of Mr. Palmer's Compensation Bill. He stated, that the question of Mr. Palmer's claim had been so often discussed, that it must be unnecessary for him to enter again into its merits; and that he should only trouble the House, very shortly, in justification of the renewal of a Bill, formerly honoured by its support. After failing in the first instance, from the dissent of another branch in the legislature, Mr. Palmer obtained an Address from the House of Commons, to his Majesty, that his claim might be shaped so as to be tried in a court of law. Without meaning to impute blame to others, for this second failure, he must defend Mr. Palmer from the charge of having unnecessarily troubled the House, in seeking an impracticable object; by stating, that it was then, as now, the conviction of the counsel, that his cause might have been tried upon its merits, had it been permitted. His last step was to obtain an Address from the House to his royal highness the Prince Regent, praying him to advance the amount of the arrears, due to Mr. Palmer, upon his agreement; when his Royal Highness was graciously pleased to express his anxious desire to comply with the wishes of the House, in that instance, when parliament should provide the means. The only mode, therefore, of giving effect to the gracious intentions of his Royal Highness and the House, was by the present Bill, the nature and extent of which, he would shortly explain. By Mr. Palmer's original agreement, he was to have had two and a half per cent. for his life, on the increased revenue of the post-office, arising from his plan; and could this agreement have been tried, as was intended, in a court of law, it was the opinion of the chief justice of the very court to which the cause was referred, and who, for that reason, declined sitting upon the cause; and it was also the opinion of another learned judge on that bench, who lately held a distinguished situation in that House, but to whom, being no longer a member of it, he thought without indelicacy he might refer, that Mr. Palmer was fully entitled to the benefit of that original agreement. When the same evidence on which these learned opinions were founded, was referred to a committee of the House, that committee came to the same conclusions; but at the same time that they admitted Mr. Palmer had substantiated his original agreement, considering the amount of the claim, and other circumstances, they recommended his being paid his salary and per centage, according to his subsequent appointment of 1789. When this report was taken into consideration by the House, an hon. member, who admitted that the great body of the committee were against him, was of opinion that Mr. Palmer was entitled to his per centage only, and that the salary should be discontinued with his office; and to obviate any difficulty, this amendment was agreed to. When the amount of the arrears due to Mr. Palmer, as calculated by the post-office, was presented to the House, amounting to 69,000*l.* this amount not being satisfactory to some hon. members, was referred to a committee, and reduced from 69,000*l.* to 54,000*l.* It was upon this reduced estimate, that the present Bill was framed; and when instead of two and a half per cent. according to the stipulated agreement, it was considered that Mr. Palmer's profit had been reduced below one per cent. and that for the remainder of his life only, he would receive but the hundredth part of that annual permanent revenue, which, to use the words of the Commissioners of Public Inquiry, his ingenuity, activity, and zeal had created, he could not but flatter himself, that, putting his right out of the question, neither parliament nor the country would think him too well paid for his services.

The *Chancellor of the Exchequer* thought, with reference to the important subject which was to engage the attention of the House that day, that it would have been better to have postponed the second reading of this Bill. He would very shortly state his reasons for opposing it. Nothing was more painful than to resist the claims of a meritorious individual; yet, on reflection, he was more and more convinced, and confirmed in the opinion of Mr. Pitt, which had been acted upon since, that to listen to demands like the present, would be to encourage unfounded claims. The question was, whether Mr. Palmer had not, by his misconduct in carrying on a secret correspondence, forfeited his rights; and, in that view of the case, whether 3,000*l.* a year was not as great a compensation, as he could reasonably look to for its services?

Sir *T. Turton* thought that the honour of the House, and therefore, the honour of the country, was involved in the present question. The right hon. gentleman who now opposed the Bill as well as several other gentlemen of that side of the House, had consented to go into committee, and had consented therein to the present Bill. No claim ever came before the public with juster pretensions; though, from technical reasons it was not easy to gain any advantage from going to law. The right hon. gentleman talked of compassion: he could only say, that had it been a case between individuals, the remedy would have been easy; but there was no remedy but the justice of parliament against a minister of the crown.

Mr. *Long* said, the hon. baronet had rightly called the business a bargain, but it was not such a one as he stated it to be. Mr. Palmer undertook to perform certain duties, and to further the plan which he had himself introduced: on the contrary he had acted in such a manner as to make it necessary to turn him out. Mr. Pitt, who was a party to the original agreement, had felt it his duty to resist the claims of Mr. Palmer; not that there was any objection raised to a reasonable compensation, but because he was of opinion, that if the agreement was relied upon, which agreement had been infringed, nothing was due to Mr. Palmer of right.

The *Solicitor General* hoped that the Bill would be postponed till another day.

Colonel *Palmer* understood it had been agreed that the discussion should take place that day, and on that understanding he had given notice to the supporters of the Bill.

The *Solicitor General* contended, that there never was a case less entitled to public favour than the present. Mr. Palmer had finally accepted of office on condition of performing the duties of it. The emoluments of that office were to be his only remuneration; and even supposing that he had been improperly removed from that office, the utmost he could ask, or was entitled to, was, that he should be paid the emoluments of that office during the time he had been deprived of it.

Mr. *Jekyll* said his hon. and learned friend talked as if the agreement in question had never been before the House, whereas, on the contrary, it had repeatedly been decided in favour of Mr. Palmer by great majorities. The most considerable law opinions of the day, too, had been in favour of the claim: when he mentioned those of lord Erskine, of the present chief justice of the court of Common Pleas, and of Mr. Adam, the

House would agree that the claim of right was supported by no inconsiderable names.

Mr. *Bastard* thought the House was called on to support its own vote.

Sir *Mark Wood* was of the same opinion.

Mr. *Rose* begged gentlemen to recollect that the House had come to different votes on this subject. He had no objection, however, if Mr. Palmer had not been already sufficiently rewarded, that he should still receive a reasonable compensation. But he objected to the present claim, which was urged as a matter of right.

The *Chancellor of the Exchequer* said, he should take the sense of the House on the measure in some future stage of the Bill.

Colonel *Palmer* begged that the sense of the House might be taken now.

Mr. *Fuller* said, not only the sense of the House, but of the country was with the present claim. The sense of the House was all around the hon. gentleman at this moment.

The Bill was then read a second time without a division, and ordered to be committed to-morrow.

MR. CANNING'S MOTION RESPECTING THE ROMAN CATHOLICS.] Mr. *Canning* rose and said:—Mr. Speaker; when you consider the extent and magnitude of the subject which I have undertaken this day to press upon the attention of the House, with the hope, that through their decision I may succeed in recommending it to the serious attention of the executive government;—when you recollect the various discussions which this subject has undergone, as well within these walls as in other places;—when you reflect on the anxiety which it keeps alive in one part of the United Kingdom,—an anxiety of which I am sorry to say, we have in the course of this very day received some strong and painful indications;*—you may perhaps be led to apprehend that I shall find myself obliged to trespass on your patience for a considerable length of time. In this apprehension, however, I hope the House will be disappointed; for, however wide the compass, and however complicated the details of this great question may be, yet the statement which I think it necessary to make of it, for the purpose of my present motion, rests on a few plain and simple principles.

If, Sir, I stood up here this day in the character of a partisan of those whose claims are involved in our decision, I confess I should feel myself under no small difficulty and embarrassment. The intelligence this day received from Ireland, which is probably within the knowledge of most gentlemen who hear me, might well perplex an advocate of the Catholics, and might not unnaturally be expected to disincline the House from listening to him with favour.

But in the view which I have always taken and continue to take of this subject, and which I am sanguine enough to hope that I may induce the House to take of it, the recent proceeding of the Catholic meeting in Dublin, appears to me only as one symptom of that habitual irritation of the public mind in Ireland, which is produced by the unsettled state of this question; and as one additional motive for recommending the immediate consideration of it in the only quarters, and in the only mode, by which it can be brought to a final and satisfactory adjustment.

The information of this day, therefore, so far from deterring me from the discussion, will only make me more anxious to treat it in such a manner, as may preclude all invidious topics, and all inflammatory language. It is not as in a struggle of conflicting parties, that I would ask the House to interfere. It is to a great state question that I wish to direct their attention: a question, enveloped indeed with many difficulties, and those difficulties certainly not diminished by the circumstances to which I have alluded; but neither ought such circumstances to weigh in any sober mind, as reasons for rejecting the motion which I have to offer to them; much rather should they induce us to lose no time in looking seriously and dispassionately at a question, which in my conscience I believe, must be settled, if we wish to give peace to the United Kingdom.

Not only would I endeavour to steer clear of every thing that has reference to the temporary irritation of the moment, but most gladly would I persuade the House, if possible, to lay out of its recollection all former debates and differences on this subject. If we could bring ourselves to consider this subject as if it were now presented to us for the first time,—to look at it with a fresh eye,—such a view, I really think, might be obtained of it, as would lead, unless I flatter myself unreasonably, to a pretty general acquiescence in the motion which I shall have the honour of proposing.

---

* The Resolutions passed at the aggregate meeting of the Roman Catholics, in Dublin, on Thursday June the 18th, which were received in London on the morning of Mr. Canning's motion.

The principles, Sir, on which I rest that motion, and upon which the whole of this great question appears to me to rest, are these:

First, without subjecting myself to the suspicion of adopting any of those wild theories of abstract right, of rights of man, and rights of citizens, which have been afloat in the world for the last twenty years, I may assume as a general rule, that citizens of the same state, subjects living under the same government, are entitled, *primâ facie*, to equal political rights and privileges. This, Sir, I say, is the general rule. Exceptions undoubtedly there are; but upon those who maintain the exceptions, lies the *onus probandi*—the showing that they are necessary, and therefore just. I am far from asserting at this moment, that necessary, and therefore just exceptions may not have existed,—I am not even asserting that they may not still exist, in the case of the Roman Catholics. I am only assuming the general rule to be that which I have stated; and throwing the burthen of the argument in favour of the exceptions, where in truth and in right reason it ought to lie.

The next principle which I assume is this—That it is at all times desirable to create and to maintain the strictest union, the most perfect identity of interest and of feeling among all the members of the same community. If this be desirable at all times, and in all countries, it will hardly be disputed that it must be more especially so to the British empire, in the present state of the war, and of the world;—when the greatest combination of hostile force of which ancient or modern history affords an example, is arrayed against us under a mighty conqueror, before whom state after state, and kingdom after kingdom, are falling in prostrate subjection; and who considers the subjugation of continental Europe only as the preface, and the means of our destruction. To this as a general rule it will not be contended, that there is in principle any exception;—it will not be contended that it can ever be wise and salutary to divide and dissipate instead of uniting the force, the faculties, and the affections of the people; to afford just grounds for dissension and discontent; to leave open some flaw or crevice in the solid body of the state, through which the machinations of the enemy may insinuate principles of disunion. But I am aware that it may be objected, that such an union, though desirable, is impracticable; that there are causes of complaint inevitable and irremovable, and differences which though they ought not to be fomented, yet cannot be healed. This may be so: but here again if the general principle be admitted, the burthen of proof is left with those who maintain that in a particular case it cannot be reduced into practice.

The third general principle, and that on which I most confidently anticipate an undivided coincidence of opinion, is—That where there exists, in any community, a great permanent cause of political discontent which agitates the minds of men, and has agitated them for many years past; and when experience has shown that, so far from having any tendency to subside and settle itself by mutual forbearance and accommodation, the contest only grows more fierce the longer it is protracted; mingles with all the disquietudes, and allies itself with all the real or imaginary grievances of the country; it becomes the duty of the supreme power of the state, whether residing in one or in many, whether king, or senate, or parliament, to take a question of such a nature into its own consideration; to make up its own mind upon it, and finally to determine in what mode it may be most advantageously set at rest. To this general rule, I am not aware of any exception; for I am not aware of any possible circumstances in which it must not be infinitely more dangerous to leave such a question unconsidered and uncontrolled, than to attempt the settlement of it; and I am not prepared to hear that the settlement of any question, however difficult and complicated, lies out of the province or beyond the competency of the collective wisdom and authority of the state.

These, Sir, are the principles which I take the liberty to assume as the foundation of the motion which I am about to submit to the House. But I am aware, that in examining any proposition, the object or tendency of which is to introduce change of any description in the constitutions of human society, there are two general considerations, clashing very much with each other, which naturally present themselves to every reflecting mind. The one, the most extensive, perhaps the most popular, is the dread of innovation:--the other, the expediency of timely reformation or concession. In reconciling these opposite and conflicting principles, and in assigning to each its due weight in human affairs, consists almost the whole art of practical policy.

They, Sir, who argue against any further concession to the Catholics on the ground of a dread of innovation, undertake a task of greater difficulty than, so far as I can judge from any discussion which I have yet heard upon this subject, they seem themselves to be aware. For this argument naturally implies the previous existence of some regular, fixed, and intelligible state of things, formed with deliberate wisdom, or perfected by frequent revision, and established by long consent or beneficial experience; some system sealed and sanctioned by the acquiescence of successive generations. To innovate upon such a state of things, would indeed bespeak a culpable degree of rashness, and must throw upon the presumptuous innovator the duty of a most difficult justification. But, looking at the code of laws under which the Catholics have lived, and at the remains of that code under which they still live; I should be glad to ask those who stand upon long established usage,—who protest against being led astray from the ancient ways,—who will not launch into untried experiments,—I should be glad to ask them, at what period of our history they conceive that system upon which they are so fearful of encroaching, to have flourished in full perfection? I ask what was its origin?—On what design was it framed?—When did it receive the finishing hand; and become incorporated into the institutions of the country, an integral part of a blameless and perfect constitution?—Will they look back for this perfection to that period, when the corruptions and disorders of the Church first provoked that just enquiry and indignation, and gave rise to those discussions which convulsed Europe, which split the Christian world into contending sects, and ended in the establishment of the Reformation?—Great and manifold as are the blessings which the whole civilized world, and this nation in particular, have derived from the transactions of that time; indebted as we are to them for the substitution of a pure and perfect form of worship, in the place of a system of faith defiled with innumerable corruptions, and encumbered with superstitious usages; yet, can any one be so blind to fact as to contend, that the blessings which have been thus derived to us ought to recommend to our respect and imitation, the violences which accompanied their origin? It is the prerogative of providence to bring good out of evil. The lust and tyranny, the rapine and prodigality, of Henry 8, were instruments in the hand of heaven for bringing about the Reformation.—But are we therefore to look to the reign of Henry 8, for specimens of civil legislation?—A reign in which the conscience of the subject was made to conform, under bloody penalties, to every varying caprice of the judgment or passion of the sovereign,—in which, according to the historians of that period, "those who were for the Pope were hanged, and those against the Pope were burned?"—The same parliament, which, by the sanguinary law of the six articles, enabled the defender of the faith and head of the Church to exercise these indiscriminate and impartial severities in matter of religion, did not scruple to bow quite as low in matter of temporal policy; and surrendered into the monarch's hands the liberties of his people by giving to his proclamation the authority of law. It is not surely to such a reign, or to statutes passed by such parliaments, that we can be taught to refer for a pure specimen of British legislation, applicable to the times in which we live.

During the succeeding reign, these laws were repealed or suspended, and the Reformation was silently making progress and gaining strength. The horrible butcheries of queen Mary, while they curdle the blood, and make the soul sick in the contemplation of them, dispose us to look with an eye of peculiar favour upon her successor Elizabeth; and to fancy that the reign of that great and admirable princess was illustrated by the complete enjoyment of civil freedom, as well as by glory abroad and prosperity at home. Undoubtedly, the government of Elizabeth was conducted with a wisdom and success that covered the British empire with glory and prosperity. But it is surely not to that reign that the opponents of all change will refer us, as to the time at which the system which they wish to uphold was in a state that should have been preserved inviolate. In the latter years of that reign, a spirit of persecution arose, for which even her warmest admirers think it necessary to apologise. Bishop Burnet himself, in his History of the Reformation, quotes the testimony of Walsingham to this effect:—not denying the severities to which Elizabeth had recourse; but justifying them as necessary to the security of her crown, against the plots and conspiracies of the Pope and his adherents. Where is now the popish conspiracy against which the crown has to guard? Or are the enemies of innovation desirous only of adhering to queen Elizabeth's severities, but careless of her justification?

It is not to the reign of James 1, when the gunpowder treason naturally excited a horror of Papists, and forbade any relaxation of the laws in force against them,—it is not to the turbulent and unfortunate times of Charles 1, that we shall be taught to look back for a model for any part of our legislative system. If the troubles of Charles the first's time are to be connected with religious tenets, assuredly the Roman Catholic religion is not that to which we have to attribute the overthrow of the monarchy and of the Established Church. During the Protectorate, a regular system, not of coercion and penal law, not of confiscation merely, but of extirpation, was acted upon towards the Catholics of Ireland. In the reign of Charles 2, we find the establishment of the test, and the exclusion of the Roman Catholics of this country from parliament;—transactions, however, which must be coupled in our recollection with the special grounds of jealousy and alarm, which dictated and justified such precautions.

But the Revolution is the period to which we are desired to refer most particularly, as well for the laws against Roman Catholics as for the spirit in which they were framed, and in which we ought to maintain them. It is undoubtedly true that great restraints were at that period imposed upon the Catholics both in England and Ireland, as the consequence—and a just and legitimate consequence—of the intimate connection of the Catholic religion, at that time, with political doctrines hostile to the civil and religious establishments of this country, and with the interests of an exiled and abdicated sovereign. But neither would the policy of those times be necessarily just, when the connexion between the religious and political doctrines no longer subsisted; nor is it true that the penal and disabling statutes which were passed in Ireland immediately after the Revolution,—statutes which gleaned the refuse of the sword of the conqueror, and which are fairly to be considered rather as means of enforcing and ensuring the obedience of a conquered country, than as sound legislative enactments for the government of a kingdom in loyalty and peace,—it is not true, I say, that these statutes did in fact constitute the whole, or near the whole, of that code of penal laws, which we are called upon to preserve as the legacy of our forefathers, as the testament of our civil freedom. That code was not completed until a much later period. We must come down through the reigns of Anne, and of the two first princes of the House of Hanover, before we find the system brought to perfection.

The House will therefore observe, that it was not till the middle of the last century that this system of laws was really matured. In latter times the character of the enactments became less sanguinary, though hardly less severe. Under the furious and fanatical government of Cromwell, the active principle was that of absolute extermination. At the Revolution, a civil war and a contested crown naturally led to confiscations and proscriptions. Subsequently to the Revolution, and up to the period at which the last penal law was passed, the principle upon which the system has proceeded, has been calculated to stunt the growth, to destroy the moral energies, and to cramp the industry of the Irish Catholic population; to keep the mass of the people of Ireland, for such they may be called, in poverty and ignorance, for the purpose of ensuring their submission. That such a plan of policy should have been acted upon, nay avowed, by statesmen of splendid abilities and comprehensive minds, by ministers who served this their country with zeal and honour, and whose names are held in veneration among us, may be matter of curious and indignant speculation to the philosophical inquirer: but I think we want other arguments than a mere appeal to great names, to reconcile us to the adhering to such a system, or to induce us to regret that it has been abandoned.

Let us look at the state of the Catholic in the year 1760, at the accession of his present Majesty, when the system in Ireland had received the finishing hand, and before any remedial or alleviating measures had been applied to it. We find him cut off from all the relations of social life:—we find the law interfering between the parent and child,—between the husband and the wife;—stimulating the wife to treachery against her husband—and the son to disobedience towards his parent;—establishing a line of separation in the nuptial bed, and offering an undivided inheritance as the tempting prize for filial disobedience. I am sure that no man will now venture to say, that this is a state in which, consistently with the spirit of British legislation, any class of his Majesty's subjects ought to be placed: yet this is the state to which those who admire the penal code in its perfection must refer: and it is to this state that we should return, if we were to reject as innovation, every amelioration that has been made in that code since the period of its maturity.

But it belongs to this system, in a degree beyond other systems of unnatural violence, that no sooner had it arrived at its maturity, than it began to decay. Other systems have had a period during which they grew, a period during which they flourished, and in which they flourished for some time before their vigour began to decline: but in this, ripeness and decay were nearly coincident. After the greater part of two centuries had been spent in bringing it to maturity, this code existed in perfection only about fourteen years. From the beginning of his present Majesty's reign, to the year 1774, when the first relaxing statute was enacted, is the short period during which it was at once complete and stationary. That therefore is the period at which those must look who would admire it in all the fulness of its glory. Every step taken in respect to it since 1774, has been in the spirit, so much deprecated, of irreverent innovation.

On what grounds have those several steps been taken? What is the justification of the parliaments of George 3, for having undone, piece by piece, the measures of his royal predecessors? What but this? That in every stage of our preceding history, not religious tenets, but political disaffection, was the cause of the severities against the Catholics; that the penal code was not intended to exclude the believers in transubstantiation, as a sect; but to repress, or disarm, or punish them as traitors or rebels. Such, as I have already said, was the defence which the apologists of Elizabeth thought necessary for the rigour of the latter years of her reign; such is the language of every penal statute since the Revolution; in none of which do we find the imputations against the religious creed of the Papists, dissociated from the charge of treason, or treasonable design. The preambles to these statutes recite, not that the Catholics are bigots, but that they are disloyal subjects. On this alone, the best constitutional writers, lawyers, and others, whose opinions are the most entitled to our reverence, have undertaken the defence of these harsh, though at some time, necessary laws. See how Mr. Justice Blackstone describes the nature and effect of the penal statutes against the Catholics:—" This is a short summary (says he) of the laws against the Papists, under three several classes of persons professing the Popish religion; Popish recusants, convict, and Popish priests; of which the president Montesquieu observes, that they are so rigorous, though not professedly of the sanguinary kind, that they do all the hurt that can possibly be done in cold blood. But in answer to this, it may be observed, (what foreigners, who only judge from our statute book, are not fully apprised of,) that these laws are seldom exerted to their utmost rigour, and, indeed if they were, it would be very difficult to excuse them; for they are rather to be accounted for from their history, and the urgency of the times that produced them, than to be approved (upon a cool review), as a standing system of law."

The learned writer proceeds with some historical allusions to the events which gave birth, successively, to the different parts of the penal code affecting Catholics, and then goes on to say—

" But if a time should ever arrive, and perhaps it is not very distant, when all fears of a Pretender shall have vanished, and the power and influence of the Pope shall become feeble, ridiculous and despicable," (Who but must think that the learned judge anticipated the moment in which I am now speaking?)——" not only in England, but in every kingdom of Europe; it probably would not then be amiss to review and soften these rigorous edicts, at least till the civil principles of the Roman Catholics called again upon the legislature to renew them; for it ought not to be left in the breast of every merciless bigot, to drag down the vengeance of these occasional laws upon inoffensive, though mistaken subjects, in opposition to the lenient inclinations of the civil magistrate, and to the destruction of every principle of toleration and religious liberty."

What, Sir, is the fair inference from

these sentiments? That not the religious tenets of the Catholics, but their political opinions and attachments, operating upon their civil conduct, were the grounds of the penal statutes against them:—That not their religious differences from the Church of England, but their connection with foreign powers, and with interests politically hostile to the state, constituted the justification of the enactment of that code, and furnished the only apology that could be equitably urged for its continuance.

We have then to ask, if this be so, whether the relaxations which have actually taken place, in the latter part of the reign of his present Majesty, have been made in a spirit of just indulgence and political wisdom?—a proposition which, be it remembered, the clamourers against innovation are bound to controvert with all their might.

With a view to the solution of this question, it will be curious to trace the history of the relaxing statutes, and to ascertain how far they have proceeded in conformity to the principle thus laid down by Mr. Justice Blackstone. A short examination of their preambles will be sufficient to show that the legislature uniformly had that principle in their contemplation; that they uniformly looked at the religious tenets of the Catholics, but as the signs and symbols of their political opinions. The first relaxation was by the Irish act of 1774, the preamble of which is as follows:

"Whereas many of his Majesty's subjects in this kingdom are desirous to testify their loyalty and allegiance to his Majesty, and their abhorrence of certain doctrines imputed to them, and to remove jealousies which hereby have for a length of time subsisted between them and others of his Majesty's loyal subjects, but upon account of their religious tenets are by the laws now in being prevented from giving public assurances of such allegiance, and of their real principles, and good will, and affection towards their fellow subjects," &c. &c. It then proceeds to describe that test, the taking which is to entitle the Catholics to be considered as good subjects.

Four years afterwards, in the year 1778, another relaxing statute sets out with the following declaration, as to the conduct of the Catholics:

"Whereas from their uniform peaceable behaviour for a long series of years, it appears reasonable and expedient to relax the same;" (the laws of Anne), "and it must tend not only to the cultivation and improvement of this kingdom, but to the prosperity and strength of all his Majesty's dominions, that his subjects of all denominations should enjoy the blessings of a free constitution, and should be bound to each other by mutual interest and mutual affection," &c. &c.

Is not this a distinct legislative recognition of the capacity of a Catholic to become a good subject to a Protestant state, as well as of the principle, which I am desirous this day to recommend to the House, of identifying the allegiance, the interests, and the affections of both classes of his Majesty's subjects? Is not this a clear and indisputable acknowledgement on the part of the legislature, that such common interest and mutual affection are necessary, or mainly conducive at least, to the prosperity and strength of his Majesty's dominions?

Pursuing the same course, in four years after we find another statute, the preamble of which, referring to the statute of 1774, runs in these words:—"Whereas all such of his Majesty's subjects in this kingdom, of whatever persuasion, as have heretofore taken and subscribed, or shall hereafter take and subscribe, the oath of allegiance and declaration prescribed by an act passed in the 13th and 14th year of his present Majesty's reign, entitled an act to enable his Majesty's subjects, of whatever persuasion, to testify their allegiance to him, ought to be considered as good and loyal subjects to his Majesty, his crown, and government;" &c.

Here we have that quality and character assigned to the Catholics, the quality and character of "good and loyal subjects," which alone can be wanting to entitle men to participate in that free constitution which his Majesty's Protestant subjects enjoy; and the absence of which has been imputed, and is imputed still, by the few who still maintain the argument, as the single, but unchangeable ground of disability and exclusion.

The most recent of the relaxing statutes, is that well-known one of 1793, the preamble of which declares that—

"Various acts of parliament have been passed, imposing on his Majesty's subjects professing the Popish or Roman Catholic religion, many restraints and disabilities to which other subjects of this realm are not liable, and that from the peaceable and loyal demeanor of his Majesty's Popish or Roman Catholic subjects, it is fit that such restraints and disabilities shall be discontinued."

Upon this I need make no further comment, than that the principle plainly laid down, is notoriously not followed out by corresponding enactments; that many disabilities do still continue; and that the question which parliament has now to determine, is not whether these disabilities were originally right, but whether having been pronounced in principle wrong, the time is yet come when it is safe wholly to "discontinue" them. I beg not to be understood as intending to imply that more could properly have been done than was done in 1793: I merely mean to say, that the principle then laid down was wider than the practical consequences which were then drawn from it; that near twenty years have since elapsed; and that the question is therefore now not upon the principle itself (which was then settled), but upon the extension of its operation.

Again then I ask those who rail against innovation, who warn us against departing from the established usage, who tell us that we ought to adhere to the wisdom of our ancestors, who dread that we are now, as if for the first time, in danger of breaking in upon a wise and perfect system: when and where, and for how long that system existed in perfection? What is the prescriptive veneration, what the authority of usage and of opinion, due to a code of laws, which after a growth of near two centuries, remained only for 14 years in a state of maturity, and has been for half a century sinking into gradual decay? To what point of time, I again ask them, do they mean to refer, when they exhort us to adhere to the wisdom of our ancestors, and to avoid innovating upon the system which our ancestors had framed?

Let it not be supposed, however, that I mean to disparage our ancestors for the failure of their experiments in legislation upon this subject. Most true it is, that the government of Popish Ireland has been to this Protestant country a problem of infinite difficulty. It is true that the most enlightened statesmen have found—or thought—it impossible to apply to that country the same principles of rule upon which the legislation of this country has been conducted; and it must be confessed that the impediments which stood in their way, have been of no ordinary magnitude. It must be confessed that they had no precedent to guide them; and if in the absence of such experience, nothing less than the extermination of the Catholic population of Ireland was considered at one time as consistent with the safety of the state, if afterwards it was attempted to grind down that population by statute; the harshness of such expedients must be attributed partly to the necessities, and partly to the temper, of the times in which they were tried. But it is not less true that both these expedients utterly failed. We may surely have become wise from the example of our ancestors, and may adopt or pursue a better course of experiments, after the trial and failure of theirs, without being supposed to cast blame upon them. We ought to make full allowance for the different genius of different ages. I leave to philosophers the problem, whether the human race upon the whole degenerates or improves; but this at least must be admitted to be a fact, whatever be its bearing, that in modern days a spirit of mildness and lenity has pervaded and influenced legislation, unknown to times more remote. An hon. and learned gent., who the other night brought under the consideration of the House, a subject of much commercial and national importance, I mean the Orders in Council, in his eloquent and able speech upon that occasion, introduced a remark which is not inapplicable to my present argument. He said, that in the treaty of Utrecht, on many other accounts the subject of violent condemnation, (more violent indeed than I think it really deserved), there was this blot, which was sufficient to damn it to all posterity,—that the chief commercial advantage which it secured to this country, was the Assiento contract, or a participation of the African slave trade. There cannot be a circumstance which more strikingly marks the progress of opinion, and the improvement of the human mind, within the space of one century. The reign of queen Anne has been justly styled the Augustan age of England. Nobody can impute to the statesmen of that period a deficiency in knowledge of the science of legislation. Nobody can deny that there were moral writers, at that time, eminently qualified to correct and purify the feelings, as well as the taste of their countrymen; to mark with the nicest discrimination, the boundaries of right and wrong; to be the guides of their own age, and the instructors of posterity. Yet at that time not a voice was lifted against the immorality, injustice, and inhumanity of the slave trade. Let any man suppose the possible case of a minister in the present day, standing up in parliament, with a treaty in his hand, similar to that of Utrecht, securing to Great Britain a regulated monopoly of the African slave trade, and on that, and no other ground, claiming the approbation and congratulations of parliament. Let him imagine how such a proposition would be this day received, even though supported by an appeal to the practice of our ancestors:—and thence let him be convinced of this plain fact, that, whether for better or for worse, the genius of the times is different; and that we may be permitted to legislate on some subjects in a different spirit.

The question, therefore, is not, whether we shall maintain the system which exists, for no system exists whole and unbroken; it is not (at least I hope it is not)—whether we shall recur to a system which formerly existed, but which we have partially abandoned:—it is, whether, having abandoned that system as altogether inefficient in politics, and unjustifiable in morals, we ought to be now contented with negative advantage, or whether we should not rather endeavour to give effectual operation and fair play to those other principles of which we have recognized the superior justness, and those other measures we have begun to adopt, but not thoroughly pursued.

We read, Sir, in the history of ancient Rome, that when one of the armies of the republic had fallen into the power of the enemy, and was surrounded by the Samnites at the Caudine Forks, the victorious general, desirous to make the most of the advantage which he had obtained, dispatched a message to his father, a senator celebrated for his wisdom, to counsel him as to the most expedient mode of disposing of his captives.—"Dismiss them unransomed and unmolested;" was the answer of the aged senator. This was a strain of generosity too high for the comprehension of the son. He re-dispatched his messenger to consult his oracle again. The answer then was: "Exterminate them to the last man." This advice was so unlike the former, that it excited a suspicion that the old man's intellects were deranged:—he was brought to the camp to explain the discordancy of his counsel.—"By my first advice," said he, "which was the best, I recommended to you to insure the everlasting gratitude of a powerful people;—by my second, which was the worst, I pointed out to you the policy of getting rid of a dangerous enemy. There is no third way. Tertium nullum consilium."—When asked, what if a middle course should be taken,—what if they should be dismissed unhurt, but if at the same time harsh laws should be imposed upon them as a conquered enemy? "Ista quidem sententia," said the old man, "ea est, quæ neque amicos parat neque inimicos tollit." The son, however, unhappily for his country, thought himself wiser than his father;—the middle course was adopted;—he neither liberated the Romans, nor exterminated them; he passed their necks under the yoke, and sent them home.

Sir, in respect to Ireland, the severe, the exterminating counsel has been tried—and it has been found inefficient for its own purposes. We have adopted the principle of the more generous counsel; shall we halt in the pursuit of it, or try it fairly to its end?

I would have recommended the latter policy, even while Ireland was a separate kingdom. How much more safe as well as more desirable must it be, now, when she is inseparably united with this country!—The Protestants of Ireland were heretofore but as a garrison in the midst of a subdued country, obliged for their own safety to keep down the people among whom they were stationed. United now with the mass of the Protestants of England, they form part of the great majority of the inhabitants of the whole empire, instead of being a small minority in a detached fortress surrounded by overwhelming numbers. Formerly justice and prudence might point different ways; at present surely they are united, with the union of the kingdoms.

I imagine, that it will not be denied that such complete identification of Catholic and Protestant interests is desirable; it will be only contended that it is impossible. It is impossible, because, we are told, there is in the genius of the religious profession of the Catholics something which can never be reconciled to the government of a Protestant state?—there is in it a perfect faithlessness of principle towards other religious persuasions: a spirit of encroachment never at rest; a bigotry and spirit of persecution, which, if once let loose by indulgence, would make us speedily wish to retrace our steps, and to recall even the boons, which have already been lavished upon the Catholics.—I am no advocate or panegyrist of the Roman Catholic religion: but let these charges be tried by comparison with the history of the two last centuries. If the Catholic religion be of so encroaching a disposition, and so formidable in its encroachments, how happens it that it has lost one third of Europe, not one inch of which it has ever been able to regain?—The spirit of persecution may not be extinct. Nor is there any question, I trust, of arming it with power. But the proof of the continued existence of that spirit in the modern Catholic Church,—that proof at least which has been most frequently adduced in the debates of this House,—is not, I think, so clear as it has been supposed to be. "Hæreticos persequar et expugnabo,"—is said to be still the doctrine of their Church, and to be incorporated in the solemn oath of their episcopal ordination. God forbid that I should say a word im palliation of so detestable a clause, if it be really to be construed literally, or as practically influencing their conduct. But they deny that sense, they disclaim and abjure it They profess their entire abhorrence of it, and give it up to the execration of mankind.—Yes, but it is said, we ought to distrust their abjuration.—Let us be quite sure that such an example of distrust might not go farther than we might desire. In the oath taken by king William and queen Mary on becoming king and queen of Scotland, is the following clause, "We swear to root out all heretics and enemies to the true worship of God, that shall be convicted, by the true kirk of God, of the aforesaid crimes, out of our lands and empire of Scotland, &c." Are we ready to admit that William and Mary were pledged by this oath literally to exterminate all heretics with the sword?—Such an imputation, we know, would be most unjust. Yet it might be countenanced by citations from ancient Scottish acts of parliament, and from commentators upon the Scottish law,—in one of whom (Stewart of Purdevan), we find it asserted that "the severity of the laws against Papists will be further justified, if we consider that by the law of God idolaters were put to death; and agreeable thereto, Popish idolaters are to be punished with death—by the 104th Act of the 7th parliament of James 6th." How would such a passage be hailed, if quoted from the decrees of Lateran or Constance!—King William, however, we are told, remonstrated against the obligation to be imposed upon him by this clause of the oath. The commissioners quieted his conscience by leaving the words to his own construction. With this explanation he took the oath in his own sense of it, which meant we know not exactly what; but certainly no such thing as the words appear to imply. I do not urge this as a justification of the doctrine of the Popish Church: God forbid!—but, if we claim to ourselves the liberty of construing our own doctrines, it is perhaps somewhat hard to refuse the same privilege to others. It is hard to say, that when king William swore to "root out" heretics in Scotland, he was to be taken metaphorically: but, that when the Catholics swore 'persequi et expugnare' heretics in Ireland, they were to be taken as actually and literally entertaining that precise intention. It is hard to say, that king William did not mean any thing like extermination, but that the Catholics even at this time of day are prepared with the sword and the torch to spread their tenets through the world. It is farther to be observed, that though the oath taken by king William was never repealed till the union of the two crowns; that of the Catholics, so far at least as relates to the Irish Roman Catholic bishops, was repealed by the Pope in 1791.

But what trust can be reposed by a Protestant government in Roman Catholic subjects, considering that it is one acknowledged principle of their religion "never to keep faith with heretics?" The answer to this question is to be found in the whole series of relaxing statutes in their favour; in the oaths which these statutes prescribe to be taken by the Catholics. Oaths to be taken by men whom it is said no oaths can bind! oaths tendered to persons whose profession and creed is perjury! oaths of allegiance to a Protestant government exacted from those who are previously sworn to overturn it! It must be admitted that our practice is not very consistent with our theory: and if our theory be true, if the oath of a Catholic is really no security,—it is vain to deny that we ought at once to repeal all the statutes that have passed in favour of the Catholics. This is the vice or the force, be it which it may, of the whole of the reasoning drawn from the unalterable nature of the Roman Catholic religion. It is generally, and I believe truly understood, that a right hon. and learned gentleman whom I do not now see in the House, (Dr. Duigenan), was the framer of the last oath imposed upon the Irish Catholics; that of 1793. He, in common with those who contend that by the tenets of the Catholic Church oaths with Protestants are not binding upon Catholics, so far forgot the clear and inevitable consequence of this assumption, if true, as to exert his utmost industry and ingenuity in drawing up such a test as must, in his opinion, be binding on the most fugitive and volatile conscience. Surely all this labour was misapplied. Surely it was futile to forge chains of this sort for minds incapable of being restrained by any obligation. If such be the minds of the Catholics, where is the chance of their refusing, and what is the use of their taking any oath that could be tendered for their acceptance? I am afraid, Sir, that you must either give up your past policy to maintain your argument; or that, till human wit can devise some other bond for the consciences of men, you must be contented to rest on that very principle of good faith attested and confirmed by those very sanctions, the obligation of which upon the Catholics you are so forward to deny.

In the late debate on this important question, we were told by the right hon. doctor, (whose absence on the present occasion I deplore), that the Catholics ought to be quiet and contented; that they should make themselves satisfied with their condition in Ireland, by looking abroad and comparing their own lot with that of the people of the rest of Europe: by which they would see how much happier they are, or may be, under the limited franchise of which they are possessed, than the inhabitants of other countries, of whatever religious persuasions, are under their respective governments. Now, Sir, I have two objections to this advice. In the first place, I should not like to teach the Catholics to look abroad, if I could: secondly, I could not, if I would, prevent them from looking at home, and comparing and contrasting their situation with that of their fellow-subjects. It is natural that they should do this: and it is better that they should do it, rather than get a habit of indulging in any foreign speculations. Their feelings, their views, and their wishes should be bounded by the country which gave them birth, and the government under which they live. But, granting that they do look abroad, what do they see there to reconcile them to their own peculiar fate? If they look at the enemy, they will see all nations and tongues, and creeds, united under the same banner against us and our allies. If they look at those allies, at the emperor of Russia, for instance, (whom I may, perhaps, venture to class under that description, as in heart and principle he must be with us,) they will see the emperor of Russia marching to meet the congregated forces of his enemy, at the head of an army composed of different religions, and surrounded by ministers representing that diversity of creeds, by a Schismatic arch-chancellor, a Roman Catholic secretary, and a Protestant general. If they look at another great power of Europe, Austria, and if they advert to the circumstances of the late war in which she was engaged with France, they will recollect that in 1809, Buonaparté issued a proclamation to the Hungarians, inviting them to throw off the Austrian yoke, and offering them, amongst other things, the free exercise of their several forms of worship. To the Hungarians, however, this was no temptation; for in Hungary, a Roman Catholic establishment co-existing with a Greek hierarchy, amidst a Protestant population, does not prevent all the offices of the state, civil and military, from being open to the ambition of individuals of every class and religion. But the Catholics may perhaps be invited to direct their attention to Spain. In Spain, I am sorry to say, they may find in a recent public act something to countenance, though not to justify, the state of degradation in which they are kept at home: an act which, like some others of narrow and illiberal policy, has disappointed the hopes entertained by the friends of religious liberty, has in my opinion disgraced the Cortes from which it emanated. But in what country has this occurrence taken place? In a country notoriously the most bigoted in Europe, and the most blind in religious prejudices. Has this act been approved by us? We know how freely the conduct of Spain in other respects has been discussed in this country. Our government, we know, has, with all the freedom allowable to an ally, advised the rulers of Spain, in other particulars, to correct and enlarge their system of policy,—to ameliorate, for instance, the condition of their colonies, to place their commercial policy on true and sound principles. No doubt we have protested also against their late declaration of intolerance. In truth, Sir, we are pretty lavish in advice to others: and it may be lamented, perhaps, that we have not kept some of our counsel to guide our own policy at home. Perhaps Spain, when we have been recommending to her the practice of liberality and toleration, might have retorted upon us, not wholly without justice, and asked whether Ireland, adult and mature Ireland—Ireland, now a co-ordinate part of the United Kingdom, ought still to be governed on those principles, or on the remnant of those principles, which were applied, justly perhaps, in former times, to the population of a conquered state, or to an insignificant and rebellious colony.

Of the cruelties exercised against the first reformers by the ancient Church, then struggling for the maintenance of its authority, history speaks with just horror and indignation: but can any man now entertain a serious apprehension that it is necessary to be on our guard against their recurrence? Good God! Sir, what should we say if the early violences of the Reformation itself were to be arrayed against Protestants as a lasting and inexpiable reproach? if the outrages and extravagances of the Anabaptists of Munster,—the tyrannical caprices of Henry 8,—the severities of the latter part of the reign of Elizabeth,—the burning of Servetus by Calvin at Geneva,—the coarse and sacrilegious fury of John Knox and his followers, in Scotland,—nay, and the oath taken by king William himself,—were to be alleged as evidence that the several descriptions of reformed religion are necessarily and eternally of a violent and sanguinary character? We should object to such an inference as absurd and unjustifiable; and may not the Catholics of the present day protest in like manner against conclusions being drawn against them, from the crimes and cruelties, the perfidies and atrocities of those who held the same faith two hundred years ago?

I have been shocked at seeing exposed to sale, in the shop-windows of this metropolis, an address to the worst passions of the vulgar, entitled, "An awful Warning, or the Massacre of St. Bartholomew." Who the writer is I know not. It is not right to attribute bad motives to any man, but I am at a loss to conceive a good one for such a publication as this which I hold in my hand. Why publish such a narrative at the present moment? What purpose, what legitimate feeling can it be intended to gratify? What have the public now to do with Charles the Ninth and admiral Coligny? By what sentiment can any one feel himself called upon at this time of day to narrate that the Guises sprinkled themselves with the blood of their unfortunate victim, and that the duke d'Angouleme viewed his butchered corpse with emotions of delight? Why represent these horrid scenes to the eyes of the populace? What good can it do to recall the memory of them? If the torch of religious animosity could be re-kindled at the present moment, what would the effect be but to risk the safety of the British empire? This mischievous publication is illustrated by plates, to heighten the horrors of the narrative. In one is exhibited the assassination of Coligny, in another the duke d'Angouleme dipping his handkerchief in his blood. Does not this mode of illustration clearly show to what description of readers the publication is peculiarly addressed? upon what class of understandings it is intended to operate?

But neither are there wanting other indications of the same purpose; among these is the dedication. It is dedicated to the memory of that eminent and virtuous man whose loss in this House we are still deploring, and who, had he been alive, warm as he was in his resistance to the question now before the House, would assuredly have disdained and discountenanced such a mode of resisting it. The dedication is as follows:—"Sacred to the memory of the right hon. Spencer Perceval, prime minister of these realms, whose relative situation in respect of the established religion of the United Kingdom, was similar to that of De Coligny in France."—What does this mean? How was Mr. Perceval's situation with respect to the established religion of this kingdom, similar to that of De Coligny with respect to the established religion of France? So much for the accuracy of the fact. This circumstance is one which also clearly shows for what scale of intellect this writer calculated his publication. On human beings capable of investigation and discussion, he knew that he should make no impression; he therefore directed his efforts to infuriate the mob—not, I hope, in this day to be infuriated by such unhallowed means. The dedication proceeds, after this comparison between the situation of Mr. Perceval and that of the admiral De Coligny, to say that Mr. Perceval "fell like him a martyr, to his duty to his king, to his country, and to his God." History we know is sufficiently liable to misrepresentation and perversion; but so shameless an attempt as this, within one short month after the transaction to which it refers, I should think is not to be found in the records of historical falsification.

If, Sir, with a deep sense of a dispensation so awful and afflicting as that with which we have recently been visited, it may yet be permitted to us to render thanks to Providence for having intermixed some qualification of mercy in its wrath; that gratitude is justly due, when we image to our minds the mischiefs that might have been occasioned, had the desperate wretch who committed this detested deed been either a Catholic or an Irishman. It is very possible that he might have been either, or both, and yet not have been influenced by any motive of religious fanaticism. But I appeal to the common sense of the House, whether, if, by accident, the assassin of Mr. Perceval had been born in the sister island, if by accident he had been a Roman Catholic (as in the paragraph I have just read to them is not asserted indeed, but with jesuitical ambiguity is more than insinuated); whether, I say, the same blind zeal which is manifested in this publication, would not in all probability have availed itself of that circumstance to stir up a furious and fanatical spirit, which might have laid both countries in blood?

Sir, when I first gave notice of the motion which I have this day brought forward, many weeks ago, it was my expectation that I should have to contend with my late lamented friend, as my most formidable antagonist upon it. I really wished for the opportunity of such a contest; I wished to see the side of the question which he espoused, arrayed in its most striking colours; I wished to hear all that could have been said upon it, and from him I should have heard it all; I wished for this contest for the sake of thorough discussion, and of arriving at the truth: but I anticipated it, God knows, with no feelings of hostility; I should have come to it with sentiments the very reverse of personal animosity; I should have argued the question with him in no other spirit, and with no other feelings, than

"If a brother, should a brother dare"

to the proof and exercise of arms. I know not who is to buckle on his armour, and to wield his weapons against me on this day. Would to God that he were here to wield them with his own hand! Would to God that the cause had the advantage of his abilities, so that we had the advantage and delight of his presence! "Tuque tuis armis, nos te poteremur, Achille!"

Before I dismiss the publication to which I have alluded, I wish to notice a passage which appears to me conclusive as to the real object of the writer. It is the concluding paragraph of the work, and is couched in the following words: "A slight examination of the principal contemporary and other historians, will readily prove that the massacre must ever remain a blot in the annals of France and of Rome; may it also operate as an awful warning,—as the warning of St. Bartholomew, nay, even of heaven itself, to Protestants of this and every age, to convince posterity, but more especially the supine, we cannot say blind, of 1812, of the great truth, that Papists keep no faith with Protestants."

Can any man doubt what this means? or at least what feelings it tends to excite, what purposes it is calculated to encourage? This, Sir, is not the first time that the history of the massacre of St. Bartholomew has been so employed, in modern times. The author of this work might imagine that he was performing his duty to his country, by awakening the attention of the Protestant Church to the dangers with which, in his opinion, it was threatened. But example is not in his favour. In the early periods of the French revolution, a representation of the massacre of St. Bartholomew was brought on the theatre of Paris. Was that done with the view of mitigating the violent spirit of the Catholic church, of extinguishing religious animosities, of healing the grievances, or of reconciling the differences which distracted the country? Hear what Mr. Burke says upon this subject: "Your citizens of Paris," said Mr. Burke in his Letter to a Member of the National Assembly, "your citizens of Paris formerly had lent themselves as the ready instruments to slaughter the followers of Calvin at the infamous massacre of St. Bartholomew. What should we say to those who could think of retaliating on the Parisians of this day, the abominations and horrors of that time? It was but the other day that they caused this very massacre to be acted on the stage. They introduced the cardinal of Lorraine in his robes of function ordering general slaughter. Was this spectacle intended to make the Parisians abhor persecution and loath the effusion of blood? No! it was to teach them to persecute!" I will not say, that such must be the intentions of any man who represents such scenes as these at the present moment, and forces the record of such transactions upon the public eye. I will not say, such must be his deliberate intentions: but I must say, that the mistaken zeal and perverse ingenuity which such a publication displays, naturally subject him to observations such as these of Mr. Burke.

Sir, out of the contents of this work, which I have brought under your notice, no less than out of the intelligence which has this day arrived from Ireland, I collect additional motives for taking into consideration the situation of the Catholics, and for discussing their claims with that temper which their importance demands.

The mention of the name of Mr. Burke, and of that of my late right hon. friend, naturally suggest the consideration of the authorities by which the view that I take of the great question now before us, has been supported or opposed. No man can deem more highly than I do of the sagacity, the integrity, the force of my late right hon. friend's understanding; of the purity of his mind, the charity of his temper, and the unaffected piety by which he was so eminently distinguished. But, considering this, as I must always do, as a great state question, I hope I may be excused if I cannot put his authority in competition with the united authorities of so many great men who have preceded him; with the authority not of Mr. Burke alone, who, on this as well as on other subjects, outran with a prophetic celerity the progress of the public sentiment; and had arrived many years ago at that opinion in which I believe it may be said that the generality of the public are now agreed; not only of Mr. Fox, whose general love of liberty and whose ardent and hardy and uncompromising spirit naturally inclined him to extend to the widest range the limits of freedom and toleration; not only, I say, with the authorities of these great men—men who, being of a warm and sanguine temperament, might be subjected to the accusation of adopting too eagerly every proposition which tended towards the liberty of mankind: but to these are to be added the name of Mr. Windham, whose mind was cast in a different mould, whose disposition, so far from being rash and sanguine, inclined him rather to view every approach to an enlargement of popular privilege with jealousy, and to suspect all general propositions of fallacy and danger.—I must add also the great and venerable name of Mr. Pitt, whose generous philanthropy,—whose attachment to civil and religious liberty were as warm and sincere as those of any man that ever lived, but in whom those feelings were tempered and disciplined by early habits of business and long practical experience, which had taught him to examine specious theories with distrust, and to build his plans for the public good on sure and solid foundations. If then the question were to rest upon authority, I could have no apprehension as to the decision.

But to return to the argument;—it is the misfortune of all those topics, which are derived from the bloody history of earlier times, and from the alleged unchangeable nature of the Popish religion,—that if good for any thing, they are good for too much. They are good against what has already been done, as well as against that which it is proposed to do. The practical question now before us is, not what are the existing dangers from concessions already made? but whether or not those dangers will be increased, whether they may not even be removed, by further concessions? If I could be made to think that by taking one more step we should destroy our Protestant institutions, and establish in their stead a Roman Catholic hierarchy and a Roman Catholic ascendancy in Church and State, most undoubtedly I would stop where we are: but I maintain that this is the very point where the necessity of proof lies heaviest on those who contend against further concession. It is for them to show,—not the advantage and security which might have been derived from the continuance of the total disqualification of the Catholics;—not the absolute incompatibility of any concessions to the Catholics with the safety of the Protestant establishment; what they have to show is this, that the concessions already granted, are at once safe for the Protestant establishment, and calculated to satisfy the cravings which they are unquestionably calculated to excite in the Catholic mind; but, that a single step beyond the point at which we stand, is danger and destruction; that it is safe to fill the ranks of your army with Catholic soldiers and Catholic subalterns, but that a Catholic major-general would bring confusion upon your arms;—that the four courts of Dublin may swarm with Popish lawyers in stuff gowns, and law and justice flourish by their labours, but that if one of them had a gown of silk, he would infallibly overturn the whole frame of your legal constitution. They who are for retracing our steps, and recalling what we have, according to them, improvidently granted, are consistent and intelligible. But the present controversy lies between those who would go on with me, and those who see no danger in what we have given but yet would give no more. This is the point upon which illustration is required; this is the hinge on which the dispute turns. To this I hope that those who are this day to oppose my motion, will have the goodness to address themselves; for it is here that their argument labours, and wants a helping hand.

You say, you will not give to the Catholics political power; I say, you have given them political power: how wisely, I will not enquire—but you have given them the elective franchise. If the option were now to be argued, it would not be difficult (in my opinion) to show that the introduction of twenty or thirty Catholic gentlemen in this House would by no means operate such powerful political effects, as the letting loose to two or three hundred thousand of the Catholic population of Ireland the right of electing members of parliament. I do not mean to say, that I therefore impeach the wisdom of the decision which, in 1793, gave the preference to the one mode of concession over the other. I can easily understand the apprehension which might exist in a limited and local parliament, lest the Protestants should in time have been outnumbered by the admission of Catholic representatives. But, speaking of the parliament of the united empire as it is now constituted, I have little hesitation in saying, that the admission to seats among us of twenty or thirty Catholic gentlemen would be less dangerous, (if indeed the term dangerous be applicable to the subject, which I do not believe it to be,) than the boon, which has been already granted of the elective franchise to the large body of the Catholics.

What then is it that you have done towards reconciling the Protestants and Catholics? Resolving to introduce the Catholics partially at least into the bosom of the constitution, whom among them have you chosen to associate in the first instance with yourselves? Those of them who were peculiarly distinguished for rank, for property, for talents?—those who, from their station and their character, are naturally looked up to as leaders of the body?—those with whom you are in the habit of mixing in every other place, and whose admission into this House, you would therefore hardly perceive?—those who, from their property and their rank, have a decided interest in the conservation of the present frame and system of society?—No such thing. All these you have rejected; and still continue to reject: while, on the principle of universal suffrage, or something very like it, you have admitted to a participation in the constitution—to political power—the great mass of the Catholic population, without distinction or selection. You adopt the peasantry, and reject the gentry.

With this choice, the next danger which is stated, appears to be somewhat inconsistent. The Catholic priesthood possess a great and alarming influence over the Catholic peasantry. True: and when had not a priesthood great influence over the mass of the people? And ought they not to have it, and more especially over a rude and uncultivated people? But what is it that has augmented this influence of the Catholic priests, if it be augmented, beyond its due proportion? What but their poverty, and still more in former times the persecution which they have undergone? In proportion as these causes are removed, the effects cease. The influence of the priests will always continue, and it is to be wished that it always should continue, adequate to the performance of their spiritual duties. Its salutary effects will not cease; but the obedience of their flocks will be divested by degrees of that blind and slavish principle from which so much danger is apprehended.

But, it is not the influence of the clergy alone, that is an object of apprehension. The great body of Irish Catholics are, it is said, in the hands of agitators, who wish to keep their discontents alive; who care not for the professed object of Catholic desire, but look to ulterior purposes of mischief—to separation and revolution. If this be so, we can only defeat the evil intentions of such men in two ways: either by correcting their disposition, or by taking away their means. The former is beyond human power. Let us avail ourselves of the latter. Let us remove those circumstances which, operating upon the feelings of the Catholics, render them fit instruments in the hands of agitators, for the promotion of such dangerous designs. I am inclined to believe, that there are those who have ulterior views and objects. Of those who are the most clamorous for concession, there are some, I do believe, who would be most disappointed if that concession were granted. And next to the gratification which I should feel in tranquillizing a loyal and high-minded people, by the introduction of that equality of rights, without which there can be no reciprocal liking and confidence,—is that of disappointing the guilty hopes of those who delight not in tranquillity and concord, but in grievances and remonstrance; who use their sincere and warm-hearted countrymen as screens to their own ambitious purposes; and who consider a state of turbulence and discontent, as best suited to the ends which they have in view. That state it may be their wish to prolong, but so much the rather is it our interest and our duty to terminate it as speedily as possible.

But, what are the securities to be taken against the dangers of further concession? (for be it always remembered, that the question is further concession; it is not the introduction of a new principle, but the following up of one already established.) It has been lately stated in another place, that when the Catholics are called upon to show their securities, their answer is, "Show us your dangers;" and this has been complained of, as a saucy way of begging the question. Sir, it is a fair answer. I do not mean that it is absolutely and abstractedly an answer to the question proposed: but I say, it is a fair answer on the part of the Catholics. The Catholics see no danger; they deny the existence of any danger; and they therefore are the last persons who can be expected to devise securities. It is certainly the duty of the Catholic to submit to any provisions that the legislature may think necessary for that purpose: but it is not his business, nor can he be competent to suggest those securities himself. How can he provide against dangers of which he is not aware? How is he to fit that which he has no means of measuring?—It is the province of the legislature to say to the Catholic; "These are the dangers which we apprehend; and these the securities which we deem to be requisite for guarding against them." Let the boon be accompanied with the condition that is to make it safe to the giver: and I feel confident, notwithstanding the delusion and irritation of the moment, that the Catholic will joyfully accept, and thankfully acknowledge it.

What may be the plan of securities to be annexed to concession, this is not the time to discuss. I know that we have to guard not against real dangers only, but against the imagination of dangers that may not exist. Of this imagination much, I hope and believe, is to be done away by previous discussion. I hope also that discussion may soften the temper of the Catholics, and prepare them to receive as they ought whatever may be tendered to them. But I am sure that to bring forward any specific plan at this moment, would be only to throw it wide for misapprehension and misrepresentation; for the fears of the timid, and the cavils of the disaffected; to be held up to obloquy and suspicion by those, whose object is not settlement but continued irritation. It is not at a moment of violence and clamour, that the voice of reason can be heard. But such violence and clamour, however they may disgust or dishearten us; however much they may increase the difficulties of the discussion, by increasing or creating distrust and indignation among the people of this country; or, however much they may damp one's hopes of an arrangement of mutual satisfaction and concord,—yet ought they not for a moment to interrupt the sober and straight-forward course of parliament.

Parliament would not legislate wisely, if it suffered itself to be swayed by clamour either way, by appeals to their fear on the one hand, or to their pride on the other. Nothing can be more erroneous for a government than to erect a disputed question into a point of honour. This may be necessary to the character of individuals, but it would be mischievous in administering the affairs of a great state. It is to the indulgence, during the American war, of such feelings as those which I now deprecate, that the disastrous result of that contest may in great measure be attributed. How much wiser would it have been in the parliament of that day, if they had not permitted any thing like pique and ill-humour to mix in their proceedings; if they had not treated the speeches of a few obnoxious individuals in America, or the clamours of a few popular meetings, as the deliberate voice of regular defiance, or grounded upon them acts of premature and decisive severity!

Let us be cautious how we permit the sayings and writings of unauthorised individuals, or the exaggerated declarations of tumultuous assemblies, to generate a feeling of impatience in this House, and to turn us from the grave consideration of a subject, involving the welfare and happiness of the kingdom. A few angry demagogues may declare, that they will hear of no arrangement,—will consent to no securities. And there are not wanting those on this side of the water, who will be glad to lay hold of this declaration, as a clear and authentic exposition of the general and deliberate feeling of the Catholics; and as a sufficient ground for putting an end, at once, to every attempt at considering a question, the result of which they say must be hopeless. I agree with neither the one nor the other of these parties. I cannot think the existence, if it were proved, of an irritated, and unruly, and unreasonable spirit on the part of the Catholics a sufficient ground for our leaving this question loose, to float upon the breath of popular opinion, and to be mixed with every ebullition of public discontent. Neither can I do the Catholics, on the other hand, so much injustice as to believe that they entertain and avow the design of disobedience to the law. Whatever is done in their favour, will be done by the enactment of parliament. By the same act which confers the boon, will be imposed the corresponding obligation, whatever it may be. To accept the one, and reject the other, will not be in the power of the Catholics. Be assured they will not attempt it. Be assured they have no such serious intention. They will accept your benefit; and they will obey your law. Listen therefore with dignified coolness and indulgence, equally unmoved either by anger or by fear, to the language of temporary disappointment and vexation: but do not set down the ungoverned effusions of the tongue, as the settled purpose of the heart.

At all events let us put ourselves in the right. If this question is unhappily to be a source of eternal disquiet to these nations, let it not be through our fault. Let us do our part to settle it in a manner conformable at once to justice and to policy: and if, after all our endeavours, such a settlement cannot be made, on their heads be the blame, who shall reject the good work, and disappoint the good intentions of the legislature! But I hope for better things.

A refusal by the Catholics to come into such arrangements as the fears, even of the liberal, of the wise, and of the just among their Protestant-fellow-subjects might require, would put them decidedly in the wrong. The very arguments that are now most strong in their behalf, would in that case be turned against themselves. The examples of other countries would then be used, not to show how much is unnecessarily withholden from the Catholics here, but to shew how unreasonable they are in their exactions. If in the great empire of Russia we see Catholics in office, if we see there a Catholic Church, and even an acknowledged Catholic episcopacy;—be it remembered, that this establishment exists without any dependance upon the Pope, except in matters of a merely spiritual nature. Even in France we see the Gallican Church secured at this moment, by the late Concordat, from undue subjection to the papal power. Consider then, how impossible it is that the Pope, under the present circumstances of Europe, even if restored to his dignity and independence, should recover his ancient authority, be looked to with that awe, or possess that influence in other countries which he formerly enjoyed.—Consider how much the progress of public opinion has mitigated the violence of religious dissentions.—Surely these are favourable circumstances for enabling us to unite with concession to the Catholics the indispensable condition of security to the Protestant Church; and it will be hard indeed, if in proportion as the obstacles diminish on the side of those who are to grant, they shall rise up and multiply on the side of those who solicit concession. I hope better things.

But, Sir, upon this part of the subject, I am unwilling to detain the House. It has already been ably and amply discussed in former debates, particularly by an hon. baronet (sir J. C. Hippisley,) from whose speeches and publications on these topics, I confess I have derived no small share of whatever information I have upon them. This only, I beg the House to believe, that it certainly is not from any doubt as to the practicability of framing adequate arrangements for combining the security of our Protestant establishments with the concession of what remains to be conceded to the Catholics, that I abstain from any detail at the present moment. I think it in the present instance sufficient for the House of Commons to declare their determination to take the whole question into their consideration early in the next session of parliament; defining only the great object we have thereby in view, namely, conciliation; and leaving the measure to be deliberated upon in the interval between the sessions, in order that it may be so modified, when it comes to be proposed next year, as to secure the attainment of all the objects which we have in contemplation. I have in my own mind, a tolerably clear conception of what, as it appears to me, might be the fit course to be taken, but my conception may be just or incorrect. It is a work, upon which the wisdom of parliament and the prudence of government must be exercised.

Sir, in framing the specific motion which I am about to submit to the House, I have followed and endeavoured to unite two precedents: the first, a precedent of the most auspicious nature—that of the message brought down to the House by Mr. Fox, in 1782, which led to the "final adjustment," as it was called, that gave to Ireland her political constitution: the other, no less auspicious—the Resolution of the year 1806, which produced the ultimate settlement of the so long agitated question of the slave trade. For eighteen years had my hon. friend (Mr. Wilberforce,) the able and indefatigable advocate for the abolition of the slave trade, laboured to his own immortal honour, but in vain. In 1806 Mr. Fox, then a minister, moved a Resolution that the House of Commons would early in the next session of parliament take the subject into consideration. This Resolution was agreed to; it was communicated to the House of Lords; and early in the next session of parliament, (although a dissolution had intervened), a Bill founded on that Resolution was brought in, and happily carried almost without opposition. I indulge a sanguine and earnest hope the motion with which I shall conclude, will be equally fortunate with the precedents on which it is framed.

It is true, as I have said, that when Mr. Fox moved the Resolution to which I have alluded, he was in power; and it was therefore to be inferred that the executive government of that day were through him made a party to the decision of the House of Commons. To supply in the present case that advantage, it will be necessary that, if my Resolution should be successful, (as I trust it will), it should be laid before the throne; in order that the executive government may be formally apprised of the intention of the House, and prepared to co-operate for its due execution. Upon the two precedents then which I have quoted, of which the one gave to Ireland her political constitution, and the other removed from the character of this country the foulest blot with which it was ever stained,—I have framed a Resolution which I now offer to the House—a Resolution which, if carried, will be equally conducive to the happiness, to the honour, and to the mutual good-will of Great Britain and Ireland.—I conjure the House to consider that if they do not take this question into their own hands, it will not be, it cannot be set at rest. Even if it were not altogether vain to suppose that it can be put aside, and kept quiet till we have more leisure upon our hands,—nay if it could be put out of sight or out of memory by a wish—still I should not hesitate (although others perhaps might) to bring a proposition which I am convinced is just and beneficial, under consideration. But to imagine that a question of this sort, affecting the interests and feelings of so large a population, can remain unagitated, —is to indulge a visionary hope, a hope unauthorised either by the particular circumstances of the case, or by the general course of human conduct. The difference is simply this:—if we leave it to be discussed out of doors, we know to what tongues and to what pens we commit the discussion; we know in what tone and with what temper it will be treated; we abdicate the functions of parliament and of government, and incur a deep and awful responsibility for consequences which it is better to imagine than to describe. On the other hand, the deliberate consideration of the question by this and the other House of Parliament, may lead —I trust will lead—to a result satisfactory to all parties interested in it, a result which will command their acquiescence, and tranquillize their agitation. The interference of parliament may be often wisely withholden in cases where the ferment of the people arises from temporary causes, and is therefore likely to subside of its own accord: but where the causes are permanent and deep-seated, the time of interfering and the mode are the only points admitting of doubt. I trust the moment is not past at which our interference may be effectual; but, most sincerely do I think, that it ought not to be much longer delayed. We have already decided that no practical step is to be taken in this House this session. The knowledge of our intention to enter upon the subject early in the next, will, I hope, have the effect of procuring an interval of quiet and confidence: and, I trust, that interval may be well employed.

I conclude then, Sir, with moving:

"That this House will, early in the next session of parliament, take into its most serious consideration the state of the laws affecting his Majesty's Roman Catholic subjects in Great Britain and Ireland: with a view to such a final and conciliatory adjustment, as may be conducive to the peace and strength of the United Kingdom; to the stability of the Protestant establishment; and to the general satisfaction and concord of all classes of his Majesty's subjects."

One word, Sir, before you read the motion from the chair, on a point which I should be sorry to have left unexplained. I have not in the course of my argument adverted specifically to the condition of the Roman Catholics of England, as distinct from that of the Roman Catholics of Ireland. Their situation is, however, in many respects different; and the difference is greatly to the disadvantage of the English Catholics; while their exemplary conduct and distinguished loyalty entitle them to the most kind, partial consideration. But, they have themselves waved, this year, any separate application to parliament; they have been contented to abide the result of a general consideration of the question: and it is hardly necessary to say, that they must in justice be comprehended in any general measure of relief which parliament may hereafter think fit to sanction.

General *Mathew*, considering the importance of this great question, could not give a silent vote upon it. He had always thought it his duty to support it to the best of his ability, whenever brought forward in parliament, except when submitted to the House by a noble lord (Morpeth), the member for Cumberland, in his motion on the general state of Ireland. He thought that motion ill timed, though he agreed with the noble lord in the justness and propriety of the principles which he supported; and considered him well entitled to the thanks of the Irish nation. He was then of opinion, that the question ought not to have been agitated till the Catholic petitions were presented to parliament; and to the Prince Regent, after the removal of the restrictions, in the hope that emancipation would be granted as a boon rather than as a legislative measure. It was expected that the first act of the Prince, after the removal of those restrictions, would be the concession of the Catholic claims. It was expected that he would then call able and liberal men, friends of the Catholics, to his councils; but the just hopes and expectations of the Catholics were disappointed. He deprecated, however, the imputations that were cast on the Prince, for the purpose of lessening him in public opinion. He was persuaded his Royal Highness had always been a friend to Ireland at the bottom of his heart; but his mind had been blinded and poisoned by evil counsellors, who were totally ignorant of the state of Ireland, and incapable of giving any proper advice respecting that country. The Catholics were a faithful and loyal people; and had been conspicuous in their attachment to the House of Hanover. During the rebellions of 1715 and 1745, the Irish Catholics remained tranquil. Although the object of that rebellion was to place a Popish monarch on the throne, the Catholics of Ireland remained steady in attachment to their Protestant king, and not a drop of blood from the veins of an Irish nobleman bedewed the scaffold. The rebellion of 1798 had been begun by the Irish Presbyterians; and the Catholics had only joined in it, when earl Fitzwilliam was recalled, and earl Camden sent in his stead, and all hopes of emancipation were at that time destroyed. The cup of hope was dashed from their parched and eager lips, and from that hour oppression and tyranny had been the order of the day in Ireland. The plan of the rebellion to which he had just alluded was so excellently laid, that it must have succeeded, had it not been for the death of a Protestant nobleman, whom they all knew; and but for which event Ireland would have been independent of this country. The disturbance in 1803 had been raised by two Protestant gentlemen, Emmet and Russel, who were executed for it. Why then were the Catholics so persecuted? In the other House of Parliament they fortunately had the support of an illustrious duke (Sussex), who made the best speech in their favour that ever he heard on the subject. The state of Ireland must, therefore, be known to the Prince Regent; and no doubt his Royal Highness would have granted their claims, had not his mind been poisoned by his ministers, who wanted to retain the monopoly of the Church and State, which they had enjoyed for these last twenty-five years, and by which some who came paupers into office, now lived in affluence and ease. How long would the people of England endure such criminal conduct? The earl of Liverpool had adopted the intolerant maxim, that the Catholic claims ought never to be conceded; so that this was merely a struggle between the people of Ireland, and the minister. He begged the House not to be the hirelings of those ministers, who deserved to be impeached for poisoning the Prince's mind with regard to the Irish Catholics. If he were able to impeach them he would do it; and if any one would move to impeach them his motion should not want a seconder. The House was not called upon to legislate for dark and barbarous ages, but for those who had spilled their best blood in our service: and what return would this country meet with, if we refused them their civil and religious liberties, and denied them their constitutional claims? Was this the reward of the army and navy of Ireland? Sooner or later they would bitterly complain of such cruel and barbarous treatment, which was enough to root up their very souls, and freeze their blood. For upwards of 650 years had this been our conduct towards Ireland; and as the House valued the happiness of the country, he called upon them to a stand that night; for gentlemen might believe him, when he told them, that the ministers, when they found the people too much in earnest to be resisted, would leave the House in the lurch,—objects for scorn to "point his slow unmoving finger at." Was there not a point beyond which forbearance was a crime? and was there not a line of hardship, beyond which human nature was incapable of enduring? By a census lately taken, the population of Ireland was found to consist of upwards of 6,200,000 souls; and of these above 1,000,000 were between the ages of 17 and 40, fully capable of carrying arms, and the most hardy fellows on the face of the globe. With that force Ireland could overwhelm in the dust her feeble oppressors. He trusted the House would one and all vote for his amendment; and then this question would be for ever set at rest, and there would be everlasting peace between the two countries. He desired them to remember the words of the most illustrious statesman that ever sat within their walls, the late earl of Chatham, in 1766, when the province of Massachusetts was accused of rebellion, as Ireland was now—"I rejoice in the American resistance; and if she falls, she will fall like the strong man, embracing the pillars of the state, and pulling down the constitution with her." The obnoxious laws were repealed, and the state was contented: they were again resorted to, and America was lost. So it would be as to Ireland, unless the present obnoxious, weak, and odious ministers were changed. Who that contemplated the picture of the beneficial effects which the emancipation of the Catholics would confer, not only upon the comfort and security of Ireland, but upon its morality; and contemplated the growth of its freedom, industry, and ingenuity, and the whole train of advantages, national and individual which the measure would ensure, but must ardently wish for its consummation? The country held out its arms to embrace us: it invited us to its bosom—the invitation would not be repeated. He thanked God he had at all times opposed the present ministers; and if he had a son, he would swear him to the same enmity, like the father of Hannibal. He concluded by saying, that the word 'early' in his amendment, meant on Thursday next, whereas the right hon. gentleman's 'early' meant next session. The amendment was "that the House should take the Catholic claims into their early and immediate consideration, and go into a committee upon them on Thursday next," when the call of the House was fixed.

Mr. *Hutchinson* seconded the amendment.

Mr. *Wellesley Pole* did not intend to trouble the House at any great length, but was anxious to explain the vote he should give. He concurred in all the general principles of the right hon. gentleman, who was the author of the present motion; and lamented the intelligence which had been received that morning, of the resolutions of the aggregate meeting of the Catholics of Ireland, not as they regarded himself, but inasmuch as they animadverted upon several parts of the government in Ireland, with which he had the honour of being connected; and in the measures of which he concurred, under the sanction of the approbation of the House, and, he believed, of the country. It was his duty to abstain from considerations of a private nature; and putting out of the case the resolutions of the meeting alluded to, however numerous and respectable, to view the question in merely a political light, and to take that part in it, which he, in his conscience, should believe would benefit the Catholics. He had hitherto never taken any part in the debate on the Catholic claims, excepting when upon one occasion he was called upon to justify certain measures, he had then said a few words upon the general question; and he was in the recollection of the House, whether he did not state, that he was one who never had thought that the door should be shut against the Catholics, but that the concessions were not then safe, from the tone and temper which that sect had assumed. Perhaps their tone and temper might be equally, if not more harsh now; and the late meeting might have been as respectable and numerous as that of any former occasion, and more unanimous. On former occasions it might have been only the tone and temper of the Catholic committee, and thence propagated through Ireland; while, on this occasion, it might be the tone and temper of an aggregate meeting. He stated this against himself in candour and fairness; but still circumstances had changed, which, in his view of the question, made all these considerations of little weight against the present concession of the Catholic claims. Then, we did not know the opinion of the throne upon this question: now we had it authentically declared, that very high authorities had declared an opinion in favour of the Catholic claims—had pronounced it desirable to construct an administration upon the principle of taking these claims into its consideration, with a view to conciliation. It appeared also that all the great statesmen now living coincided in opinion, that some steps should be taken towards a final and conciliatory adjustment of the Catholic claims. Notwithstanding all the predictions, that the people of England would rise if the claims of the Catholics were favoured, he was happy to find that no such agitation had arisen; and he never thought it would. A considerable alteration had taken place in the public mind upon this subject; and in Ireland the concession was the universal wish of the Protestants. He had opportunities of knowing this in his official capacity; and so changed were they in their opinions, that he had received numerous letters, entreating him to persuade his late right hon. friend to take up the question with some definitive view towards a conciliatory adjustment of it. He always thought the time to consider this measure would come, and he was now for giving the Catholics every possible degree of privilege and liberty, consistent with the security of the Church and State. The only difficulty seemed to be to fix the quantum of the grant. There was no difficulty in making the grant, with all necessary guards. The whole might be granted, if it could be done with security. He agreed with a right hon. gentleman (Mr. Tierney), who said, on a former discussion of this question, that unless this measure were a cabinet one, it could not be a legislative one; and that if the concessions were made piece-meal, they could not be made at all; and a circumstance had happened in Ireland, which afforded the strongest reason not to postpone the measure. The perversions of the subject in that country proved, that if the discussion were not confined to this House, it would effect the greatest mischiefs out of doors. His firm opinion was, (and that was his particular reason for agreeing with the right hon. gentleman's motion), that all the thinking people of the two countries expected that the government, (be they who they might,) should use all their energy, wisdom, information, and industry, to ascertain the bearing of all the Catholic laws, which could be repealed, and on what grounds they ought to be so repealed. Then the country would be satisfied to abide by the decision of the cabinet; and should the two Houses of Parliament agree, it would doubtless become, by next session, a cabinet measure. He had abstained from such discussion while he was an official man, whose duty it was to see the laws obeyed; and he should have preserved equal silence now, if he did not consider himself as having retired from his situation, which he now merely held at the convenience of the present government, in order to finish some business which he had begun, and consequently he had no duty which prevented the free declaration of these his opinions.

Mr. *Ryder* said, although he could not concur either in the motion of his right hon. friend who had opened the debate, or in the amendment which had been proposed by the hon. gentleman who followed him, still he thought it was not necessary to enter into any detail of the grounds and principles on which his opinions were formed, as he, in common with others, who felt as he did, had taken various opportunities of stating them in that place. If this question had not been the subject of protracted discussion, he, for one, would have been more ready to agree to the proposition of his right hon. friend; because, in that case, there might be some hope that the Roman Catholics would have confined their claims within those bounds, to which the House now knew they would not confine them; and they also might have expected, that those safeguards and securities, which the situation of the country demanded, would have been offered. But, after what had passed, could it be concealed from the Roman Catholics—could it be concealed from the Protestants—could it be concealed from the Dissenters—could it be concealed from the country at large—nay, did not his right hon. friend himself assert the fact, that no system of conciliation would be effectual, without an equal right to a share of power with his Protestant fellow subject were granted to the Roman Catholic? How could he concur in this motion, with the hope of setting the question at rest, unless, in the course of a few short months, when the pledge contained in it was to be redeemed, he could meet the claims of the Catholics, ready to place them on a full footing with their Protestant brethren, in respect to political power?—How, otherwise, could he be able to entertain that discussion, which the motion went to adjourn, with the smallest hope that it would then be finally and conclusively terminated, giving stability to the empire, and introducing general concord and satisfaction amongst all classes of subjects? He had no hope that the conduct of the Catholics would be such as to cause a change in his sentiments—and, having none, he would not, by supporting the motion, be instrumental in holding out a delusion. He hoped the time would come, when the Roman Catholics would emancipate themselves from a foreign spiritual domination—then, he conceived every disability ought and would be done away, and he would be most willing to assist in carrying the necessary measures into effect. But, while the Pope exerted an influence over the bishops—while the bishops exerted an influence over the priesthood—and while the priesthood, in their turn, exerted an influence over the great body of the people, he did not think it safe to grant the required immunities. The power possessed by the Pope, did not, as some gentlemen had contended, extend only to mere speculative principles. The rights of marriage, of legitimacy, and a variety of others were affected by it. And that power was supported by excommunication, in which the civil rights of every individual subjected to it were involved. So long as the Roman Catholic had not freed himself from that foreign and hostile authority, the Protestant religion in Ireland, in the event of conceding to him that which he demanded, could not be safe—nor, looking at the subject in an extended view, could the Protestant establishment in this country. He meant only to enter his protest against the motion; but from what he knew, not of the feelings of individuals in that House, but of the sentiments of the great bulk and mass of the people of this country, he was convinced, that the Resolution of his right hon. friend would not answer the intended purpose. It would not create unanimity—it would not answer the feelings entertained by one side or the other; on the contrary, it would occasion great discord. Whatever other persons might think on the subject, he felt it his duty to oppose the motion.

Mr. *Maurice Fitzgerald* said, he had always hitherto opposed the opinions of the right hon. gent. who had just spoken, and he saw no reason for varying from his usual practice on the present occasion. The right hon. gent. had observed, that, when the Roman Catholics had emancipated themselves from their spiritual connection with the Pope, he would then willingly concur in their civil emancipation; that is, when they had become good Protestants, when they were no longer affected by the laws enacted against them in your statute-book, at that period their disabilities might safely be done away. Having often voted for the total repeal of those disabilities, he was ready to go the full length of the right hon. gentleman's motion. And, on the other hand, if such should be the prevailing sense of the House, he would willingly concur in the amendment of his gallant friend. The laws which supported the Protestant establishment, passed long before those statutes of exclusion; and, by repealing the latter, the former would not be affected; but if it were the general opinion, that, to decide properly on the subject, a digest of those laws was required, and that a regular plan should be formed, he felt no objection to coincide in the proposition; and he was sure his gallant friend would not press his amendment, if he thought it likely to operate unfavourably to the great cause. The danger which seemed to be apprehended, arose from the supposed influence of the Pope over the Catholic priesthood, and their influence over the laity. These points were undoubtedly interesting, but, in this country, people were extremely ignorant on them. Now, the truth was, that the authority of the Pope in Ireland went to no one practical point whatever. His power no more affected the Roman Catholics, than the power of monition, possessed by the clergy of the Established Church, did the Protestants of this country. But if it were allowed that the priesthood did enjoy a great power, it ought to be shewn that they could exercise it to an evil purpose. He knew the sentiments and feelings of the great body of the Catholics, and he was convinced, that, if their clergy attempted to exercise their authority for any political purpose, the very effort would degrade their character, and lessen their power. He was one of those who did not wish to interfere with the power of the clergy; and he thought that the interference of the state with the church to which he belonged had not been attended with any benefit to religion. He was convinced that any interference of the temporal power of the state with the clergy, served only to alienate them from the government. The only security which ever had been distinctly mentioned, was a Veto to be vested in the crown. He took the liberty, at the time it was proposed, of stating the impracticability of effecting that measure. The Catholics did resist it, and he was glad they did. He hoped they would always resist any measure which went to alter the fundamental principles of their Church. While he deprecated the delay of the enquiry to another session, if it could be avoided, he also thought, that placing the detail and arrangement in the hands of the present government was full of suspicion and apprehension, and would probably occasion the failure of the whole business. Looking to their ignorance of the situation of Ireland, and of the interests of the Catholic body, it was wholly impossible that they could, in the next session, bring forward a measure which would conciliate and relieve the Catholics; on the contrary, he believed they would create fresh difficulties. The tranquillity of the Roman Catholic body at present, arose from the growing disposition manifested by the people of this country, speedily to concede their claims; but, if a different feeling were manifested, he should immediately expect the worst consequences. He did not say this in the way of menace, but to call the attention of the government more forcibly to the subject. Not only should they be anxious as to the matter of their arrangement, but also as to the temper in which it was drawn up and offered. While he said this, he also thought the concession should be made by an administration possessing the confidence of the people; but here it must be allowed, it would come from rather a suspicious quarter. A right hon. gentleman (Mr. Pole) in speaking of the recent resolutions agreed to at an aggregate meeting of the Roman Catholics, had stated, that they were false in their facts. If he alluded, as he supposed he did, when he spoke of some of the assertions as being hostile to himself, to that part in which the Catholics speak of "the arrogant invasion of the undoubted right of petitioning, and the acrimony of illegal state prosecutions;" if he alluded to these expressions, he (Mr. Fitzgerald) for one, must observe, that, on these points he went the whole length with the Catholic body. He considered them not as intemperate expressions, but as the decisive and deliberate sentiments of the great Catholic body—the nobility and gentry, as well as of the commercial interest. He contemplated that decision as most important. The Catholics said, "We can proffer no security for your establishments. The laws sustain your establishments and your Church, the Catholics have interfered with neither, not even at the moment that you disclaimed them.—How then can you imagine they will act contrary to the general interest of the state, when they are admitted to participate in the benefits of the constitution?" The Catholic asked for political freedom, he asked for it in a bold tone, and he (Mr. Fitzgerald) was glad of it. He required it for no sinister end. He called on you to give him freedom, that he might the more effectively fight your battles. He wanted not to attack the Church; if he did, those liberties which he required would give him no farther power, for that purpose, than he enjoyed at present. Let them have their rights, and the concession would be attended with the dissolution of that combination, which, while the Catholics remained in a state of thraldom, threatened disunion to the empire.

Mr. *Fuller* said, no person could be more ready to allow freedom of worship to every sect than he was. But there were points of great importance on which they had to decide. He knew that the greatness, glory, and happiness of this country arose from putting down a certain religion —and it was worthy of consideration, whether the members of that religion should be admitted to greater civil rights than the body of Dissenters were. This question was to the constitution, what the title-deeds of his estate were to him.—Now, if a person came to ask from him certain privileges on his estate, it would be but fair that he should previously insist on some security, that the enjoyment of those privileges should not vitiate his title-deeds. And if a generous Irishman wanted immunities, he ought also to give sufficient safeguards. He was glad the question was to be put off till next session: it would afford an opportunity for both parties to meet for their mutual advantage. No man respected the Irish more than himself—they were a noble, generous, manly race of people, and congenial with his own feelings, for they loved women and wine as much as he did.—They were a fine people; had a high spirit and as good taste as spirit: there were however matters of false faith in their creed which no credibility could swallow. If their prelates could make the Roman Catholics believe things which were unbelievable, he would say to them, " As you believe so much, you may be brought to believe more—you may be brought to believe that which would be dangerous to the constitution." Therefore, he considered securities were necessary, to prevent any evil which might arise from concession.

Sir *J. Newport* said, the Roman Catholics demanded only those title-deeds which were their right, and not privileges upon the estate of any other person. He knew not what securities were wanted. What had been given up was no more than had already been abandoned by all other empires. The Roman Catholics wished to obey those laws which were equally binding on all the members of the community —and ought not to be called upon for a greater security for the preservation of the constitution, than had been demanded from other classes of the community. His right hon. friend (Mr. M. Fitzgerald) had put the question on its true basis. A great mass of the people, under existing circumstances, were bound together, by proscription, not in defence of the constitution, but, to a certain degree, against it. —Take away that proscription, give them an equal interest in the constitution, and they will be melted down in the great mass of the community. The honourable gentleman did not seem to know, when he spoke of Dissenters, that, though there were test laws here, there were none in Ireland. It was found necessary, at a former period, to repeal them. What securities were asked from that sect, when they were relieved from those laws in 1784? None. And what danger had resulted from the measure? Did the Dissenters of the North of Ireland become disaffected in consequence? By no means. The right honourable gentleman (Mr. Ryder) had asked, " is it possible to conceal from the country, that nothing can lead to a favourable issue with the Roman Catholics, unless full emancipation be granted to them?" He did not wish nor mean to conceal it. He did believe, and he always so expressed it, that nothing effectual could be done without it. And what the right hon. gentleman had said, in his brilliant opening speech, was perfectly true—that the *onus probandi* rested on those who considered restrictions necessary; and, if guards and securities were wanted, it was for them to shew their propriety. The right hon. gentleman (Mr. Ryder) had said, " he trusted such a change would take place amongst the Roman Catholics, as would emancipate them from spiritual bondage —but he could not indulge in such a hope."—Now, if by that change he meant the abandonment of that which constituted a part of the Catholic faith, he agreed with him that such emancipation was at a very great distance, And why did he think so? Because he was sure the Catholics of Ireland would not speedily become Protestants, which was the true meaning of the expression.—If such a circumstance did take place, then they needed not the right hon. gentleman's assistance, for they had only to march directly into the House, if elected. And, if they now pleased to stay out of the House, what actuated them? A sacred regard for those principles and tenets which they conscientiously believed to be right. The right hon. gentleman (Mr. Canning) had alluded to an abominable publication, and he was happy to behold the burst of indignation with which it was received. But this was not a solitary instance. Every time the question was brought forward, statements were sent abroad, which had been refuted for ages. The history of the inquisition, and various other pamphlets, calculated for all classes of the community, were put in circulation. But, however high the situation of those might be who resorted to those arts, they could not adopt measures more fatal to the peace of the British empire. If by such means the cry of "No Popery!" was again raised, it would be answered from Ireland by a cry of "No Union!" by a cry of "Separation!"

Mr. *Marryat* was of opinion, that as ministers had thought proper to give way to the discontents of some 100,000 manufacturers, in conceding the Orders in Council, they would be inconsistent if they did not yield to the still greater discontents of four millions of people. They were more strongly bound to concessions in the one case than in the other. Ministers, besides, had been accustomed to concession of late, in such a variety of instances, that they must now of necessity give way. It was a true principle, that if men found themselves deserted by their leaders, they would desert their leaders in their turn. He trusted, that as ministers had not made a stand when, as it appeared to him, the best interests of the country were concerned, in supporting the Orders in Council, they would not now make a stand, when the best interests of the country required concession.

Mr. *Martin,* of Galway, expressed himself in favour of the motion. He should have been better pleased, however, as the subject was to be postponed, if the Resolution had been couched in these terms—"That the House will, early in the next session, resolve itself into a committee, to take into consideration the laws affecting his Majesty's Roman Catholic subjects of England and Ireland, for the purpose and with a view of granting the prayer of their petition." This would be speaking in strong terms the opinion of those who might be supposed unwilling to concede. Any thing short of a declaration of this kind, that the prayer of the petition should be granted, would not give tranquillity to Ireland. Some bodies in this country might be inimical to this proceeding—for instance, the Universities of Oxford and Cambridge; but if those persons remained unconverted to the principle, was that any sufficient reason for not passing an act of emancipation?

Mr. *Matthew Montague* declared his intention to move an amendment which should negative both resolutions. (Cries of Move, move.) He really had hoped for a greater share of indulgence from the hon. gentleman opposite; but being disappointed, he must take such as he could get. In the feelings which prevailed in the House that night, he saw an additional proof of the great loss which the country had sustained in the death of a right hon. gentleman now no more, and which he above all men deplored. He deplored the loss of that vigorous and determined spirit, which had exercised such a powerful influence; and when he looked on the right hon. gentlemen who sat below him, he saw nothing but a string of concessions, which gave hopes to the discontented, and not that vigorous spirit of resistance which was necessary to oppose those who wished to overturn every thing stable in the country. He should, however, feel it his duty to take the sense of the House on the present question, though he confessed he had but little hope of success. His reasons for opposing the motion were, because the Catholics demanded unconditional emancipation; they would be satisfied with nothing short of it, and he was not prepared to go that length. They wanted an equality of privileges: for that wish he did not blame them, nor should he oppose them, unless he thought it would be attended with infinite danger. But if the Catholic claims were granted, must not the House go still farther and repeal the test laws? (Hear, hear!) Why, then, gentlemen opposite admitted this; but was parliament prepared to go that length? Were they, then, to pass this measure on the broad basis of universal rights,—he had almost said the rights of man, which had led to the destruction of all privileges in France, and had ultimately ended in that despotism under which it laboured? Were the Catholic claims granted, the test laws would be next abolished; then would follow the corporation laws; and last of all, the laws of suffrage. It required more strength to keep the door half open, than close shut. If the principles of innovation were once given way to, we should see the scenes renewed which had been witnessed in the French Revolution.

Mr. *Parnell* rose, to give such information to the House, in respect to the practical influence of the Pope, which he conceived would enable the House to form a more correct judgment, on the question of securities, than it seemed to have as yet formed. He observed, that every member who attempted to explain the danger to be guarded against, was so utterly ignorant of the real practical extent of that influence, that he still hoped the clamour for securities would be dropped—he even had hopes the right hon. gentleman, a late Secretary of State, who had spoken, would give up his present opinion; for nothing could be more utterly unfounded, than every assertion he had made concerning this influence. He had held it out as affecting marriage, and all property that was regulated by marriage; also the legitimacy of children, and also all the temporal concerns of the Catholics. That he was wholly in error, he could prove by a document he held in his hand, of the highest ecclesiastical and legal authority. He had procured it as a statement, shewing in what consisted the whole practical influence of the Pope. There were but three points alone on which he could exercise any authority,—1st, in respect to marriage;—but not by any means in the way asserted by the right hon. gentleman. It says, "All the bishops of Ireland have faculties for dispensing, at their discretion, from the prohibitions of the degrees of marriage, as near as the degree of first cousin included. But if the extraordinary case should occur, of an uncle desiring to marry his nephew's widow, or a nephew desiring to marry his uncle's widow, the bishops have no power to dispense in such case, and the power is reserved for the Pope alone. There has been for the last 60 years no instance of any such dispensation." This is the whole of the authority possessed by the Pope in regard to marriage; so far, therefore, as the right hon. gentleman's argument for securities rests upon this part of his influence, he must acknowledge it is altogether untenable. The next point on which the Pope may exercise an authority is, "in deciding upon appeals from the Catholic clergy, in case of disputes among themselves upon questions of duty, precedence, &c. This is quite a *forum domesticum*, and can never concern the state. The Pope is not looked upon otherwise than as a dernier resort in such cases. The first step is in the bishop's court—next in order of appeal is that of the archbishop, or metropolitan; next, the primate, or four archbishops; lastly, the Pope. He proceeds by directing a commission to three Irish prelates to take evidence and report the facts proved. Upon this report he founds his decision. The cases under this head have been very few, and are now fallen into disuse." The last, and only remaining point on which the Pope possesses any authority, is in respect to the appointment of bishops, but this is entirely nominal; for, in fact, and practice, the Irish bishops fill up every vacancy. When a see is vacant, the bishops of the province having consulted with their clergy, recommend a proper person. They then install him, and next consecrate him. These proceedings having taken place, he is virtually a bishop, though not instituted by the Pope, the final step to the business. He acts immediately as a bishop, is considered as filling up the vacancy, and can do every ecclesiastical act, except giving orders of confirmation. It frequently happens that the Pope does not give institution for two or three years after the appointment by the bishops. That this appointment is virtually a domestic one, is proved by the experience of many years. The Pope has never interfered with the choice of the Irish bishops, since the time of the Pretender, except in one instance, and then by the advice of the Irish government. But the result would have been better for the tranquillity of Ireland, if they had left the matter with the bishops; for the person recommended by government, by his conduct in 1798, formed a most striking contrast to the zeal and loyalty displayed by all the rest of the Irish Catholic bishops at that unhappy period. From this statement, the authority of which, he would venture to say, no one could dispute, it was evident that the most unfounded notion prevailed of the real practical influence of the Pope; it was clear that the cry for securities was one which was generated by utter ignorance of the subject; that no danger could come from this influence, and therefore that no security was wanting. The right hon. member begged the House to remember, that the political interference of the Pope had not been known on the continent for these two centuries—that long before the Revolution it had ceased in this country—that during the rebellions of 1715 and 1745, no trace could be found among the papers of the Pretender, or of his friends, of a single Catholic being in anywise concerned. This influence had been very accurately described by the late Dr. Sturges, a very warm opponent of Catholic concession. He had said of it—"*Stat nominis umbra.*" Mr. Fox, in 1805, speaking of it, said, "The fear of it was absurd—the alarm about it was not to be accounted for on any rational principle—it was, in fact, what Blackstone foretold it would be, feeble, ridiculous and despicable." But it was to be remembered by the House, that none of the advocates for securities pretended that any immediate danger would accompany the concession to the Catholics; their argument was, the influence of the Pope may become subservient to a foreign influence, the influence of the enemy, and thus be made an instrument to turn the Catholic clergy from their allegiance. But then it may be said, why provide the security now? Why act on this apprehension of danger, and not wait till the danger is established? Is this apprehension of an evil. a sufficient cause to justify the postponement of the conciliation of the Catholics, of concentrating all the power of the country under the present circumstances of the times? Certainly not. True policy would dictate the concession without qualification, there being no difficulty whatever created thereby to the adoption of any legislative measure which might become necessary by the existence of the apprehended danger. Let the effects of such a concession be examined. What would it do in regard to the passing of such a measure? It could not form a bar to it. Though ten times fifteen Catholic gentlemen should become members of this House—though half that number of peers might sit in the other House—they could not prevent parliament from adopting any securities which the actual existence of the danger to the establishments should render necessary. On the contrary, they would themselves be the first to support such a Bill. No one can be the least acquainted with lord Fingall, who would probably have a seat in the other House, and not feel satisfied that if circumstances should hereafter take place to render it fit to guard the established religion with new securities, he would most readily promote and support them. He, and those of his religion, would no further interfere than barely to secure their own religion, with an equal and becoming attention to their own rights and interests. The House, he trusted, would, on more mature deliberation, see this supposed danger, and think of these securities in a very different light. If it would calmly examine the extent of security that already exists, the past conduct of the Irish bishops—their oaths of allegiance—their public resolutions—and take into its consideration the nature of the security which the concession itself would create—he felt no doubt that when the next session arrived, and a specific measure was to be adopted, all the present clamour which now prevailed would subside, and that there would be a general feeling to grant to the Catholics their unqualified and unconditional emancipation, and thus secure for ever their most ardent affections, and their most invaluable cooperation in promoting the security and honour of the empire.

Mr. *Wilbraham Bootle* said, he would vote for the Resolution of his right hon. friend, but further he would not pledge himself to go one single step. He was extremely sorry to find that the Roman Catholics of Ireland had in a recent instance, that had already been alluded to, acted in a manner which he could not but pronounce rash and intemperate, and this he felt the more sensibly, as, from his own experience of the conduct of the Roman Catholics of England he was convinced there was no set of men more ready or more willing to act in support of the interests of their country where their services were required. He hoped the course suggested by his right hon. friend would be attended with the desired effect, and that all those causes of difference which had hitherto existed would be completely removed. In expressing these sentiments, however, he begged he might be distinctly understood, as wishing, that while the House was studying the best mode of conciliation, they would pay a due regard to those securities, which must be admitted by every thinking individual as indispensably necessary, as well to the safety of the constitution, as to the interests of the Catholics themselves.

Sir *J. Nicholls* said, that as he had formerly expressed his opinions on the present important question as fully as he could wish, and as nothing had since occurred which operated any change in those opinions, he should not now trouble the House with many observations. After what he had heard, however, this night, he found it impossible to give a silent vote; and he, therefore, should briefly state the grounds which induced him to concur with his right hon. friend (Mr. Ryder), in giving a sincere negative to the Resolution. He confessed, that if it could be made appear to him, that the extension of political power to the Catholics was consistent with the safety of our constitution, and the security of our establishments, he should have no objection to concession; but then the safety he alluded to was of such immense importance that in the very first instance, before one step was advanced, it should be made clear that no danger could attend it. With such an impression, it was not strange that the proposition should find an enemy in him; and, indeed, gentlemen would do well to consider whether they did not pledge themselves to the principle of concession by adopting this specious resolution. It was argued that this resolution was necessary: how it was so he could not understand. Was it not in the power of any member to compel the House to consider the question whenever he pleased? It was not, therefore, necessary to bind the House to its consideration: and something else besides the mere consideration of the subject was in the view of the right hon. mover and his supporters. He was afraid that the object was to delude the House into ulterior measures, by pledging it to concession. It was said that there were plans somewhere for securing our establishments; but why were they never disclosed? If concession was to be made, where were the guards to be set up in support of our constitution, and our domestic tranquillity? Some persons, indeed, on the other side, spoke of unconditional concession; but they for one instant could not have considered the frightful consequences which would follow from such a measure. He conceived that at least parliament was pledged by the articles of Union to support the Irish Protestant Church; but the gentlemen he alluded to might perhaps construe this pledge into a support of the Protestant Church in the United Kingdom. But suppose they did not; it was, notwithstanding, in case of unlimited and unfettered concession, not absurd to imagine the existence of a Catholic monarch in Ireland. For his part, he should not advance one step until those plans for the security of our establishments were disclosed, which were said to be in existence. But it was, perhaps, intended to conceal those plans, (knowing that they would be unsatisfactory to both parties) and to take both by surprise. If they were to be satisfactory, why not mention them at once? If an individual were asked to walk blindfolded to the edge of a precipice, would it be unreasonable in him to require the removal of the bandage before he stirred a step? If the present attempt at delusion should be successful, then the House walked blindly to the precipice,—it had no security against danger. Some gentlemen imagined, that for the sake of tranquillity they ought to agree to the present Resolution; but after the intelligence which had arrived that very day from Ireland, he thought that such a hope could not be entertained. If the question was to be no longer a government one,—if the government should no longer keep it under its protection, it became individuals to be more vigilant for the safety of the constitution; he beseeched the House therefore, not to lend themselves to a delusion, the consequences of which they might have to deplore. He considered that it was not fair, even to Catholics themselves, to adopt this resolution; because it was raising hopes which would in all probability be followed by disappointment and discontent. He should conclude, however, with protesting against the calumny which was attempted to be fixed upon the parliament and upon himself, that they would not agree to concession, if sufficient security should be offered for the integrity of the constitution.

The *Chancellor of the Exchequer* began by observing, that, of the various opinions which had been expressed on this great question, on which scarcely any two gentlemen appeared precisely to agree, he felt himself inclined most nearly to coincide with his hon. friend the member for Newcastle (Mr. Bootle). He had hitherto abstained from taking a part in debates in which so great a number of gentlemen, particularly from the other part of the United Kingdom, usually thought it necessary to come forward; but he felt that upon that night he could not give a silent vote, without exposing himself to be much misunderstood. He could not vote in favour of the question, without appearing to have changed the opinion which he formerly held on the subject, or without being supposed to agree in those propositions of unlimited concession to the claims of the Catholics, which appeared to be the prevailing sentiment of the supporters of the motion. On the other hand, he could not vote against a motion the purport of which was merely to bring the representations of the Catholics under the consideration of parliament in the ensuing session, without countenancing the idea of a permanent exclusion from all improvement of their relative situation. He could agree in neither of those ideas. He should vote in support of the motion, because he thought, and had long thought, that their situation ought to be most seriously considered, and in some respects improved. But he thought it necessary to explain, that the concessions which he should recommend, were confined to comparatively narrow limits, and he could not hope that they would be satisfactory to the zealous supporters of the Catholic cause.

He thought that the relative situation of the Catholics of Great Britain and Ireland had, since the Union, been very awkward and anomalous. An Irish Catholic had not in England the same privileges as in Ireland, and the English Catholics, a most respectable and meritorious body of men, had not the same privileges as the Irish. He thought them unquestionably entitled to be put upon the same footing, and thinking so, it was impossible for him to vote against the question. He thought too, that the Catholics, who so largely contributed to the naval and military service of the country, were entitled to a larger share than they now possessed of the honours and advantages of those professions; and he wished to look carefully, and with the most conciliating disposition, though at present with no very decided opinion, into the civil privileges which might safely be granted to them. But among these, he did not mean to include the great question of legislative power. He thought it became parliament most anxiously to deliberate, and cautiously to advance, in a career which might be full of danger, and in which there was no possibility of retreat.

Before he entered on this part of the question, he should, however, wish to touch upon the charge of vacillation brought against his Majesty's servants by the hon. gentleman behind him (Mr. M. Montague). There were only three instances in which any appearances of change of councils could be observed; that of the postponement of part of the intended barracks; that of the salary of his Royal Highness's private secretary; and the great question of the Orders in Council.

As to the barracks, he had already explained, on a former occasion, that the postponement proceeded from no change of opinion, but from a desire in the present Board of Treasury to enquire into the plan, and make themselves masters of the subject, before they formed a decided opinion.

With regard to the second instance, respecting colonel M'Mahon, as well as to that of the barracks, he could appeal to the House, whether the erection of a barrack, or the salary of a private secretary, could be considered as any criterion of the general policy of a government. In the case of colonel M'Mahon, it was undoubtedly a spontaneous act of liberality on the part of the Prince Regent, to take upon his private income a charge, which, though not considerable, was, as far as it went, an increase of the general civil list establishment.

The question of the Orders in Council was indeed of primary importance; but it should be recollected, that, in this instance, the great concession was made by his lamented friend the late Chancellor of the Exchequer, when he consented to the appointment of a committee. He could not but be aware, when he entered upon an enquiry into the subject, of the nature of the evidence which might be produced, and of the effect which that evidence might have upon the opinion of the House. It was indeed true that strong reasons of policy might be urged against the revocation of the Orders in Council; but circumstances of great distress had been pointed out, and their connection with the existence of the Orders in Council sufficiently established. It was obvious, therefore, that, on the one side, there was an immediate and pressing evil, on the other, a danger, which, however formidable in some very respectable opinions, was remote and contingent, and might, by possible changes of circumstances, be avoided. In chusing this side of the alternative, he could not feel that his Majesty's ministers indicated any general change of policy, or any disposition to condemn the measures which they had formerly pursued.

But to return to the immediate question before the House; he thought the admission of the Catholics into the body of the legislature so great a departure from the principles and practice of the constitution, as settled at the Revolution, that it should not be conceded without the greatest deliberation. The whole frame of our constitution, as then fixed, was Protestant; the crown was irrevocably entailed upon the Protestant line; and the Protestant sovereignty was supported by a Protestant parliament, and a Protestant magistracy. But time, which imperceptibly produced the greatest changes, might so alter the relative feelings and connections of the Protestants and Catholics of this country, as to prepare them for a removal of all religious distinctions. He thought this time, however, by no means yet arrived; he doubted whether the minds of the Protestants even of Ireland were prepared for such a change. He felt convinced that those of Great Britain were not yet in such a state; and he dreaded lest a premature attempt to remove all religious animosities might only serve to increase them. He was desirous also to hear a distinct explanation of those securities for the Protestant religion, which had been so often talked of, but never defined.

How far they might appear to him sufficient, and to what degree the remaining disabilities might be safely removed, must materially depend upon the disposition and conduct of the Catholics themselves; and it rested with them particularly to accelerate or to defeat the accomplishment of their own wishes. But it was not only in the situation and feelings of the United Kingdom that he saw many reasons for deliberation and caution, but in the events which had lately taken place, and were still in progress in other parts of the world. Great changes had of late occurred with respect to the Roman Catholic religion itself, and no one could pretend to foresee what, in a few years, might be its state. The head of that religion was now the first bishop in the French empire, and Rome had been declared its second city. The person indeed who was at present the nominal head of that Church, was a prisoner, and debarred from the exercise of all spiritual functions; and this circumstance could not but have a strong influence upon a Church, in which so much depended on the personal influence and authority of the Pope. It had a tendency to divide the Church of Rome into a variety of separate national establishments. But this state might not continue; it depended on the life of a feeble old man, whose misfortunes he pitied, and whose constancy he admired, but who might soon be the victim of the infirmities of nature, or of the rigour of despotism; and all we can now know of his successor is, that he must be the nominee of Buonaparté. Under such a successor, the spiritual authority of the Church might be revived and exerted with full effect, in conjunction with the policy and ambition of the temporal sovereignty of the emperor. There were other circumstances equally observable in the present state of the Roman Catholic Church. The two great bulwarks of its power had been the wealth and importance of the hierarchy, and the number, activity, and riches of the monastic orders. Both of those bulwarks were now demolished; in almost all the countries of Europe the revolutions of the state, or the necessities of the government, had swept away the ecclesiastical property, and reduced the clergy to a moderate and even penurious stipendiary allowance. The monastic orders had been almost every where suppressed, and their members dispersed as wretched exiles through the world, or engaged in secular and even military employments. It was impossible that such a change of circumstances could fail materially to influence the sentiments and feelings of the Catholic population. In what manner this influence would operate, he thought experience had not yet decided, and that it would be dangerous to act upon mere conjecture. But another change was taking place, which he could not view without the highest approbation and the most sanguine hope; he meant, that the Bible was now received by many Catholics in their respective languages, and that in Ireland particularly, this happy change was rapidly extending. Whatever truth there might be in the charge so often brought against the members of the Romish Church, of holding certain dangerous and detestable opinions, which was a subject upon which he was unwilling to enter, they could not be attributed to men who acknowledged the Bible as the rule of their faith and conduct. He thought the prevalence of such sentiments, and the improvement of education and instruction which were so rapidly extending, the best preparation, and the strongest ground for hereafter claiming civil rights and immunities. But he wished to give this preparation time to produce its effect. He wished, before he decided, to see the Roman Catholic religion such as it may be in a settled state of things, whenever that settled state may arrive, and that parliament would not hastily determine upon what it might repent of, but never could recal.

Mr. *Bankes* hoped it would never be a point of honour with any government to persevere in measures after they were convinced of their impropriety. Political expediency was not at all times the same; what at one time might be considered consistent with sound policy, would at another be completely impolitic. Thus it was with respect to the Roman Catholics. What changes had not taken place in the question itself, as well as in the minds of the House, since it was last agitated! These were, however, circumstances which ought not to render the question more difficult to be met, as the House was not called upon to argue upon principles which were applicable to other times and to other views. If the proposition before the House was simply to vote for the resolution of the right hon. gentleman (Mr. Canning), with a view to future discussion, he was ready to admit that the course was perfectly unobjectionable; but if the House was to be pledged to any concession, he agreed with his right hon. friend (Mr. Ryder) that it would be extremely wise to resist such a proposition *in limine*. Not that he had any disposition to oppose concession, after a full and fair investigation of the terms upon which concession could be granted, but because he was averse to giving any pledge, until the safety and welfare of the constitution and the Protestant Church was fully ascertained. Securities of the most liberal nature ought to be demanded; and he would not be satisfied unless the Catholics would consent that the same religious power should be granted to the king of Great Britain, as in other countries was allowed to other potentates. Above all, he should be sorry to see the toleration acts, those great bulwarks of the constitution, removed, or even assailed. In all events, however, enquiry was necessary, and the mutual advantages to be derived by the two countries from a concord of sentiment, was most evident. With these feelings, he should vote for the resolution before the House.

Mr. *Grattan* declared, that he had to express his entire concurrence in what had been said of the present ministers, respecting their disposition to conciliate the Catholics. He would not say that they were inconsistent, because, as had been observed by the hon. gentleman who preceded him, time did much in the working of great political changes, and was indeed always to be considered a principal ingredient in the contest of opinions. He well knew how completely what at one time might appear most chimerical, might at another be considered as not only possible but politic; and he had seen instances where the most honourable and conscientious men,—and men, too, of the best understandings,—had changed their opinions on important state questions: changed them of course from a more full consideration of the circumstances attending such questions, of the temper of the people to whom they applied, and of the general exigencies of the times. If the ministers of the crown upon the present occasion had changed their opinions, he was not disposed to call it a victory obtained over them by their antagonists, but a triumph of ministers over themselves. As to the amendment of an hon. general, he hoped that upon it the House would not be driven to divide. He certainly wished extremely for an immediate committee, if the House were willing to go into it; but the House was not willing, and therefore, though he did not differ from the spirit of the amendment, he hoped it would not be pressed. With regard to the original motion, one sentence would characterise it: —it was a motion of concord,—it was a motion for a determination to consider the claims of the Catholics with a view to conciliatory adjustment,—it was a motion to adopt the consideration of what was to be done for the Catholics, while at the same time it professed to conciliate without danger. On what ground could such a motion be objected to? Could its opposers say, that they objected on account of the petitions that had been presented? —Petitions so numerously signed, and in language so respectful. Could they object to a conciliatory adjustment? Could they oppose going into a consideration which promised to put their Church out of danger? To him it appeared, that as the resolution was pre-eminently one of concord, the adopting it would be voting themselves one people—aye, voting themselves one people; and the Catholics also would receive the resolution in the same spirit. They would receive it as a declaration of love, of cordiality, of affection. Such a resolution must work a material change in the minds of the Irish. It would hold out their question to them in colours of probable success, arising from a number of circumstances, all of which had not taken place when it was last under consideration. But now that they had taken place, the best way to consider their effect was as the decree of common sense, which time would undoubtedly sanctify and establish. One of the circumstances alluded to was, the repeated discussion of the question in parliament; another a recent melancholy event. A third, the decision in a most illustrious quarter on the subject. A fourth, the great numbers, though a minority, on a former occasion, when those claims were discussed. There were other circumstances which he need not enumerate, but all tended to indicate a wish on the part of the people of England, to shake hands honestly and warmly with the people of Ireland; and all tended also to justify the change of opinion in those who might have thought concession hitherto impracticable. He was the more convinced that men could vote without inconsistency for this resolution, when he remembered that he, in the Irish parliament divided with 25 in one session on the Catholic question, and that in the very next he made one of the whole House voting in the affirmative for that question. Would any one have upbraided the Irish parliament for inconsistency on that occasion? Would it not rather be said, that what might have been temerity in one session, became wisdom in the other? The advanced guard explores the ground, and makes an unsuccessful experiment in arms. It retires, and the rear-guard saves it. But when it succeeds, then the rear-guard advances and gains the victory. He would now suppose the resolution carried, and then certainly parliament would have the responsibility of the introduction of this question, and would also, should it fail, have the responsibility of its failure. He would therefore advise the government, if they should have any communication with the Catholics, not to demand any securities but what were necessary and just. He would advise the government rather to take the part of aiding than of thwarting,—rather to go on, than to look back to past disputes,—rather to go half way, than to stand upon high points with an unaccommodating and unconciliatory demeanour. On the other hand, he would advise the Catholics not to oppose any frivolous objections to the just arrangements that might be deemed necessary. It had been his intention, in the beginning of next session, to move for leave to bring in a Bill for the repeal of the penal laws. He was, however, so convinced that it would come better from the executive, that he would much rather give it up to ministers. If any of his Majesty's ministers should take it up, he would be happy to second the proposition, and give it every support in his power.

Lord *Castlereagh* complimented the right hon. gent. who had just sat down on his talents and exertions; and still more on the generous tone of his speech. It was for them that night to discharge their duty by stating the grounds upon which they voted; that they might hereafter come to the discussion of the subject with as little misunderstanding on any part of it as possible. For himself he had to say, that if he were not to concur in the motion of the right hon. gent. his conduct would be an abandonment of those principles which he had always avowed, and by which he had always been regulated. Feeling, as he always had felt, the necessity of endeavouring to admit the Catholics into the constitution, when the difficulties which had opposed that measure were lessened or removed, when the temper of the Catholics, and the circumstances of the times would, in his opinion, justify its being attempted to be done, if no one else had taken up the subject, he himself would have felt it his duty to bring it forward. The obstacles which had formerly stood in its way were such, that in his opinion, to discuss the subject could only have had the effect of injuriously agitating the mind. Those obstacles, to which he particularly alluded, existed no longer. The unfortunate situation of the King, and after the time which had elapsed, there was, at present between parliament and the executive power no objection to the measure. Parliament was now left to exercise its wisdom upon the question, unrestrained by those considerations of respect and delicacy, which he confessed had formerly operated most powerfully on his mind. He agreed also with the right hon. gentleman, that what had taken place in the course of the session, evinced a disposition, on the part of parliament, to enter into a consideration of the subject, which did not appear before; and this went to prove, that the time was come, when it was almost impossible for any government to pause on the propriety of taking it into consideration. He wished to be understood, that he only expressed his own individual sentiments, as the other members of the cabinet had done theirs; and, he trusted, the line he took, on the present occasion, would be found consistent with what he had frequently stated, that though from the circumstances of the times, he was obliged at those times to resist it, he was still friendly to the measure. Before the Union he had had it in his mind that the progress of circumstances would have a tendency to introduce the Catholics into the constitution, even if Ireland had remained a separate country, and this had been with him one inducement to press the Union, which he trusted would prove a measure of conciliation and mutual advantage. He then noticed that anomaly in the constitution which was presented by the situation of the English Catholics, whose conduct had been so unexceptionable; that it had never subjected them even to the least charge of imprudence, yet they were not only labouring under all the disabilities complained of by the Catholics of Ireland, but they were exposed to penal laws, the operation of which was such, that the humanity of the times would not suffer them to be enforced. When he looked on this, he had always felt that the constitution could not rest securely till some alteration was effected. This struck him the more forcibly, when he considered that in Scotland a Catholic might fill the highest offices in the state, while his situation was such as he had described in England. Feeling that the constitution could not remain in this state, he had contemplated the Union as that which might accelerate the means of effecting a change, and it was now for them to make the best use of the situations in which they were placed. He had, however, never looked forward to a concession of the Catholic claims as a measure that could be either wise or politic, unless it were accompanied with safeguards, which would sufficiently guarantee the safety of the constitution. With respect to the securities necessary to be given, he had never anticipated any that went to impose any thing at variance with the principles of the Catholic religion; he had never wished for any concessions that would degrade or dishonour Catholics, or that were not as proper to be conceded by them as to be received by the Protestants. He had desired no securities which the Catholics had not recognized in other countries, as compatible with the principles of their religion. He had wished to follow the example of our Catholic ancestors, in the measures they took for guarding against the effects of foreign influence. As to what had been said of the Pope, he would say that, however feeble he might be in the hands of the tyrant of France, he would be formidable in England, and still more so in Ireland. It had been said, that the Pope had not nominated an Irish Catholic bishop for a considerable number of years. He doubted the correctness of this statement, but if it were correct, it was to be remembered that he might nominate every Irish bishop. The see of Rome, as at present existing, and likely to exist, might give Buonaparté an opportunity of giving the Papal dignity to cardinal Fesch. What influence might he not gain by such means in Ireland? He could not be more aware of the danger on this head than the right hon. gentleman (Mr. Grattan) himself, as he had on a former occasion, when he brought forward the question on the Catholic claims, stated it to be essential to the security of the empire, that we should be properly guarded against the effects of foreign influence in Ireland. He did not say that the existence of foreign influence should exclude them from the constitution, but this he said, that when they were admitted to the constitution, they ought to unite with us in protecting it against all foreign enemies. He wished them to subscribe to nothing to which they had not already subscribed in other countries. In Spain, as had been stated in the valuable publications of an hon. baronet, whose accuracy and historical knowledge could be depended upon, (sir J. C. Hippisley) though the most bigoted country in Europe, it had been thought necessary to guard against the influence of the Pope in the affairs of the state. He thought with respect to the Catholics in Ireland, that there ought to exist no connection which was not avowed and notorious. He wished what passed between them to be public, to guard against the suspicion of any secret foreign influence; but he had never thought of requiring securities which the Catholics had not given in other countries to guard against a foreign secret influence, which might be abused. He had no objection to vote for the motion in its largest sense, and no objection to the Catholics being admitted to the fullest participation in the constitution, provided the requisite securities were given. The benefits which would result from their being admitted into the constitution would consist in the Catholics feeling themselves placed on a footing of equality with their Protestant brethren, and the Protestants feeling that the Catholics would no longer be dangerous to themselves. If some concession were not made, the question must be expected to come before them year after year, till the Protestants and Catholics were settled on a footing of political equality. He had no hesitation in warmly concurring with the Resolution, and with the proposition for a final adjustment of the Catholic claims. He only desired that adequate regulations might be made, and this done, he was willing to concede all they asked. He had no objection to the second resolution of the right hon. gentleman, which went to lay the resolution then under consideration before the Prince Regent, if it went no further; but if it was meant to advise the crown to direct ministers to bring forward a measure in conformity with the wish of that resolution, he could not agree to it. It would be a hard task to impose upon a government, to frame a measure according to the ideas of an individual, under such circumstances as those under which in the present instance they would be called upon to frame one. He did not mean that government would not take the subject into their consideration, but to frame a measure like that proposed, under circumstances like the present, he did not conceive was a fair duty to impose upon any government. He knew of no disposition in any quarter of the administration to make Catholic concession a cabinet question. Every one took that part which his own judgment dictated. He should be glad if things were in such a state that it could be so taken up; but where there was such a variety of opinions upon the subject, he did not think government would be likely to carry it so far as an individual. All he could say was, that holding those opinions which he had entertained ever since the Union, which were on record, and which he had never had any disposition or occasion to change, he was most anxious in his individual capacity to exert himself, in or out of parliament, in any way that might give the Catholics that which they claimed, provided the measure could be accompanied by those securities which the Protestants had a right to expect. Such a measure would be most beneficial in establishing the authority of the government of Ireland; and although the Catholic interest would still act together as all Dissenters did, and as it was in nature for them to do; yet he thought it better that they should act within the constitution than out of it.—Upon the whole, the question was not free from constitutional danger, and though it might be difficult to devise adequate securities, still, in the present state of the Catholic mind, and in the present state of papal power, it would be well to look at the difficulties which opposed themselves to the measure, get over them if they could, and if they could not, at least approach so near the difficulties as to be able to state in parliament where the measure 'hitched,' and that ascertained, if the obstacle were insurmountable, it would be seen that parliament had done what they could, and then he should hope, with that knowledge the public would be satisfied, and the question set at rest. Having thus explained his sentiments, he had only to say, that the reason he had not done so before, was, that difficulties were in the way, which in his opinion, rendered the agitation of the subject improper; those difficulties removed, he was as anxious for an enquiry into the claims of the Catholics as any one.

Mr. *Tierney* said, that if he rightly understood the noble lord, after twelve years, during which his opinions had been in complete abeyance, or conflicting with themselves, he had now returned to the sentiments he professed at the period of the Union.—What he had been urging for the last quarter of an hour none would dispute, and none but the noble lord would have thought it necessary to state. From the speech just delivered, he augured very ill of the final success of the cause, since whatever impression circumstances might have made upon the House, it was quite clear that no impression had been made upon the government.—He objected to the amendment of the gallant general, only because it would not be carried, and whatever injury it might do the cause, he felt compelled to say that he should vote for the original motion, because it pledged parliament upon the subject of the Catholic claims. By this declaration he might deter many gentlemen from supporting the resolution by their votes, but frankness and common honesty demanded it. But how did the matter stand with regard to the ministers of the country, as they termed themselves? The resolution now proposed was to be passed by the parliament, was to be approved by the highest authority in the kingdom, and yet these ministers confessed themselves so weak, imbecile, and inefficient, that they were unable and unwilling to carry into effect that which as the government they were bound to accomplish. Such were the ministers that at this crisis were placed at the head of affairs! He believed the noble lord sincere, when he stated that he wished the measure to be carried; but he saw no reason to think that the noble lord would endeavour to influence others, or would risk his own situation for the sake of attaining it. He had, it was true, spoken as usual on both sides of the question, but had concluded by supporting the resolution. His new coadjutor had confessed that the time for concession was arrived—yet the government was to do nothing! All men in the kingdom, except the ministers, had made up their minds upon the subject. What was the cause of this dissent? Why were not the Catholic claims to be made a government question? The noble lord had supplied the clue to guide men out of his labyrinth, when he declared that the truth was, that no government could be formed in these times hostile to concession. An honourable friend of his had stated, that time would produce most wonderful changes. It was true that the lapse of years might do something, but the alteration that had been produced in the cabinet by the lapse of a single month was wonderful indeed!—Under such dissentions who, upon this subject, were to be the advisers of the Regent? Or were his ministers to offer their discordant councils *seriatim?* The last month had been a most memorable period; nothing but changes: ministers had altered their minds on every question. The barracks at Liverpool, Bristol, and Mary-le-bone, formerly declared to be essential to the security of the state, had been abandoned. Colonel M'Mahon was to be paid out of the privy purse, though only a few weeks before, Mr. Perceval had declared, seconded by all his satellites (who ceased to shine when his fire was withdrawn), that it was unconstitutional and improper. The Orders in Council, those measures which had been declared necessary to the very existence of Great Britain as an independent state, were now to be rescinded as matters of trifling import; and last of all, the Catholic claims were to be conceded, though not a month ago the very same men who now so warmly advocated them, had resisted them with efforts that appeared almost beyond the powers of human nature. Such was the government with whom the Catholics were to communicate, without a hope of a final and happy termination of the existing difficulties. With respect to the established religion it required no securities, such as those alluded to. The constitution was in no danger from those who having a share in it were interested in its continuance, and the best pledge he could expect from a Catholic was the acceptance of office. A noble viscount in another place (lord Sidmouth) was the only member of the administration who had frankly declared that the Catholics had nothing to expect. With regard to the result of the present system of policy, he observed, that the only effect would be, to make the people of Ireland rebel, their bishops preach, and the aggregate meeting debate. He wished that the resolution this night to be adopted, should be conveyed to the throne, but he was first desirous that the sentiments of persons in another place should be ascertained: the change of opinion might not there be quite so general: noble personages might yet doubt, and the chancellor might still have some relicts of that conscience of which he had been boasting during the last ten years. There too securities might be required, lest the Irish bishops should hold treasonable correspondence with a foreign power, although he could not imagine why an Irish bishop should not in such a case be dealt with like an English bishop, who would lose his head for such a crime. He trusted that before the ensuing session, the noble lord would endeavour so to train his colleagues as to induce them to adopt some one opinion, and not to stray about as their fancies might dictate, if indeed the design in letting loose the question, were not merely that a certain set of men might remain in office, knowing, that otherwise they would be excluded. He would assert without hesitation, that there never was a more foul traitor to the best interests of his country, than the man who held a place under such conditions, and no punishment could be too severe for him.—He applied the term to no individual: he trusted there was not one who deserved it, but this the noble lord and his friends would be best able to decide.

Mr. *Bathurst* said, the object of the motion was to pledge parliament, and not the government; for which reason the latter ought not to be called upon for their opinion on the subject. He had received no new lights during the discussion, nor had heard any thing which in the least altered his opinion. He had no hope or expectation that this measure could be of any benefit to the Catholics. The general opinion was, that security ought to be taken. Lord Grenville's letter shewed he thought that necessary to guard against foreign influence. Mr. Pitt's proposition was, first, that there should be an ample security for the religion of the country; next, that the matter in itself should be agreeable to the people of this country. It would, therefore, be necessary to ask in what that security was to consist. Mr. Pitt and lord Grenville never made up their minds as to what the proposition might be; and it was unfair to throw, at this moment, the odium of this uncertainty on government. It was deluding the House to bring forward a proposition like the present. They did not know what it was intended to propose; and unless some plan could be laid down on which both parties were likely to come to an agreement, to agitate the subject was worse than useless.

Sir *J. C. Hippisley* observed, that having so recently delivered his sentiments, at considerable length, on the general question, he had no other motive for rising at so late an hour of the night, but in obedience to the calls which had been made upon him, accompanied with expressions entitled to an acknowledgment, which if withheld, he should, perhaps, be considered as insensible to the value of them.

He could not but express his surprise, that,—hearing such repeated demands for "securities," and so much anxiety expressed, by so many speakers in the course of the debate, to have those securities distinctly stated,—no reference had been made except by the noble viscount on the treasury bench, to the regulations he had so often noticed in former debates, and which he conceived had been pretty generally understood, if not generally approved. Those regulations, in conjunction with the ordinary civil test of allegiance, were adequate, in his opinion, to satisfy every rational claim and security for the establishment, and, as such, had been repeatedly stated by himself in that House. With reference to the high authorities on which they were founded:—they had been sanctioned by the wisdom and policy of almost every other state in Europe, with more or less qualification, and were sedulously interposed as barriers against the encroachments of the see of Rome, to which recourse must occasionally be had in every state where the religion of Rome was either dominant or merely tolerated; nor were there wanting instances of the existence of such encroachments even at a very recent period. In the estimation of many, there was but little apprehension to be entertained in the present state of the world:—a provident legislature, nevertheless, would not dispense with the enactment of such provisions as might eventually meet the evil, whenever it might present itself, however small the probability might be of its recurrence; and, especially, as such provisions might go far to allay the fears of those who could not otherwise reconcile themselves to an assent to further concessions. The legislature could have no difficulty in framing such provisions;—they were to be found in the municipal code of almost every Catholic, as well as Protestant state,—and, indeed, those states, wherein the Catholic religion was dominant, were best qualified to estimate the danger to be provided against. It was not the Catholic subject against whom the barrier was to be raised in defence of the establishment; but it was against an exterior power possessing great influence on the human mind, which, if exerted as at former periods, might be highly injurious to, if not ultimately subversive of, the liberties of the Catholic and Protestant alike: and in this persuasion both Catholic and Protestant states had alike sought security in legislation.

On every occasion in which he had taken a part in the discussion of the general question, sir J. H. said, that although his endeavours had been chiefly directed to repel the influence of popular prejudices connected with it, yet at no time had he been the advocate of an unqualified abrogation of the existing statutes which bear upon the subject, many of which were framed by our Catholic ancestors. It had been held that the abrogation should be accompanied with due regulations, which the Catholic as well as the Protestant would equally regard as salutary barriers against the possible encroachment of a foreign jurisdiction. It was too late, at such an hour, to enter upon the discussion of those securities; but he would beg to call the recollection of the House to those documents he had frequently referred to, in the course of former debates, which were annexed to those publications to which the noble viscount on the treasury-bench had done him the honour to advert. He had considered it as an imperious duty to contribute, as much as was in his power, to tranquillize those apprehensions which were but too general, by an extended circulation of those documents without the walls of this House; and, indeed, he had great authority in support of his own opinion, that such was the most advisable course to adopt, in the view of ultimately subduing the influence of popular prejudices; prejudices, nevertheless, which we are in some measure bound to respect, being for the most part rooted in a veneration and affection for our religious and civil institutions. While the apprehensions of the Catholic subject might be set at rest in a conviction that no violence was intended to be offered to his religion, inasmuch as Catholic states were themselves the most forward to establish such barriers against encroachment;—the Protestant would discover that the proposed regulations afforded effectual safe-guards to the constitution itself. They were not crude or fanciful provisions, but such as had been matured by the experience of ages, and practicable without offence. It was true that they had been originally framed when the power of the pontiffs was truly formidable, and too often injuriously exerted; but they were still continued as existing regulations, and even re-enacted with additional restrictions at a very recent period, in a government which was supposed to be most blindly devoted to the religion of Rome. He spoke particularly of Spain, which had also been noticed by the noble viscount, in reference to the edict which sir J. H. had on a former occasion stated in the House. The policy of Napoleon too might serve as an example—'fas 'et ab hoste doceri,' is sometimes a wholesome adage.—With the Pope a prisoner within his state, he legislates with provident caution against the encroachments by the interdiction of all missives, bulls, briefs, &c. without a regulated examination.—If such had been the policy of Catholic states, and of such recent practice,—it surely becomes a duty imposed upon those of a different communion, not to be less vigilant. Russia, in this respect, followed closely in the steps of those Catholic states;—the see of Rome has not remonstrated on the excess of her caution, but recognised her concessions in favour of her numerous Catholic subjects, with every demonstration of respect and gratitude.

But if arguments drawn from the examples of foreign states were not sufficient to evince, that something more than shadows were to be encountered, sir J. H. said he should call to his aid the candid avowal of a dignitary of the Roman Catholic communion,—a subject of his Majesty, who himself had been a close and intelligent observer of the facts upon which he grounded his opinions. In a detailed correspondence in which he had zealously defended the doctrines of his Church from the injurious imputation of hostility even to civil allegiance in a Protestant state, his candour admitted, at the same time, that there existed abuses, almost systematic, which a prudent policy should be on the alert to discover and repress:—but to use his own words, "But whilst I say and advance all this as a stedfast Roman Catholic, not ill versed in all doctrinal points of this Church, I am, from a long-acquired experience, bold to say, that I am far from being prejudiced, or so sold to Rome, as not to allow that it behoves every national Church, or even State, to guard against certain encroachments, cabals, and intrigues of Rome and of her Curia, whose finesse and the most refined policy are ever in practice."--To evince the modern existence of such encroachments, sir J. H. said he should refer to another authority,—that of another dignitary of the Roman Catholic Church, a metropolitan of a province in Ireland some time since deceased,—the archbishop thus expressed his discontent:—"I was surprised to hear of an alien bishop coming into my province, which was a treatment I did not expect from the sacred congregation, who gave me no notice thereof. If cardinal Antonelli had remained in his station, I would have taken the liberty of letting him know my mind very candidly."—In these short extracts, sir J. H. observed, from authorities which are irrefragable, the precept of one writer is illustrated in an example given by the other. The authorities are not of an antiquated date—they are both of the same year—so recent as the year 1794, and the originals of both the documents were in his possession. The act of intrusion, although probably of little moment in itself, yet afforded sufficient evidence of that usurpation of authority, which might eventually be directed to a mischievous purpose, and tend at least to unsettle and disquiet the minds of those Catholics, who regard with a less resisting spirit than others, the efforts of the papal power when exerted beyond its legitimate sphere of action. It is enough for the present argument to discover, that the intrusion did in fact excite serious discontent in the mind of the venerable prelate upon whose ecclesiastical jurisdiction the intrusion was made.

In the face of such pointed authorities, with the practice of almost every state in Europe—of the Catholic, as well as the reformed communion, in favour of regulation, with the admission of the four metropolitan, and six senior Roman Catholic prelates of Ireland in the year 1799; to the principle of which no subsequent resolution has ever been opposed; with such admissions at home, and such authorities abroad, shall regulation, in the same spirit and to the same end, be now resisted, as a wanton and untenable attack upon the feelings and principles of our Catholic fellow subjects? Much as he had ever been an advocate of their application to parliament, because in his judgment it was founded in equitable claims, and because the concession would be strictly warranted by a sound, and liberal policy, he had been uniform in his declarations, from the first moment when he took any part in the discussion of the question, that he could never assent to the measure, unaccompanied with those securities which had been sanctioned by the wisdom and experience of ages.—When the time shall have arrived for that deliberate consideration to which parliament was now called upon to pledge itself, he should then think it his duty to be prepared to enter upon those details of regulation, conformable to his own view of the subject, and be ready to substantiate the high authorities which sanction them.—He therefore most cheerfully supported the motion before the House, as it avowed for its object,—"such a final and conciliatory adjustment, as may be conducive to the peace of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of his Majesty's subjects."

Mr. *Ponsonby* said, he understood the question was not to be considered as a cabinet question. Nothing could be more absurd than a cabinet professing to have no opinion on such an important subject. Three ministers had given their sentiments: those of the noble lord certainly were the most wise, and he congratulated him on it.—He had been told that security was to be given by the Catholics; he would ask, whether it was to the noble lord or to his two colleagues? He rose however for the purpose of asserting, that he was one of those that did not ask for any security, for he considered the best security would be gained by granting them full emancipation.—He approved of the motion so ably brought forward by the right hon. gentleman, because he thought, if agreed to, it would be a step gained in favour of the Catholic cause; but farther than this he did not wish to encourage an expectation; for, if asked his opinion with respect to the manner in which government would act upon it, he would be disposed to say, that they would not act at all, and that the task to form a measure for carrying into effect the resolution of parliament would devolve again, as it had hitherto done, upon his right hon. friend near him (Mr. Grattan) who had devoted his life to the welfare and interests of so large a portion of his fellow subjects. It would be an arduous undertaking; for there was one circumstance in the discussion of this question which he should notice.—Among all the persons whom he had heard speak on the subject, he observed, there was no union or identity of opinion.—Those who were for it, proposed various and different degrees of concession; while those who were against it, proposed various sorts of securities. Some of the latter indeed, insisted upon terms as severe as were ever demanded of Roman Catholics, in any other country, at any period. Now, he would wish these gentlemen to consider the times and circumstances under which the Catholic Claims were preferred; for from the description of people who demanded such securities, he must beg leave to differ. He would assure his right hon. friend however, that as far as his (Mr. Ponsonby's) humble powers went, he should never want a zealous assistant; nor would the friends around him be less anxious to lend their aid.

Mr. *W. Fitzgerald* was certain, if the right honourable gentleman (Mr. Tierney) had not lost votes by his speech, he had at least offended many who were disposed to vote with him. If gentlemen on his side of the House could abandon their principles to preserve their places, he could only say, they should not have his vote. Concurring in the motion of the right hon. gentleman, he must disclaim the principles by which that motion had been supported. So far from there being no person connected with the government who had expressed his support of the motion, the noble lord had declared that he not only should not interpose difficulties in the way of the measure; but had even pledged himself to the entertaining of it with favour when it should be brought forward next session. The present motion had been hailed on the other side as an auspicious omen. He (Mr. F.) viewed it in the same light, and trusted it would lead to the safety of the country and the happiness of the people.

Mr. *Ponsonby* explained, that no member of the government, as a member of the government, had given any pledge in favour of the measure.

Lord *Palmerston* said, notwithstanding the speech of the right honourable gentleman opposite was more calculated to deter from the support of the motion than even the speeches of those who objected to it, still he should not be prevented from voting for the motion, his object being that the subject should be taken into early consideration next session. The repeal, however, must in his opinion not be unconditional, but must be guarded by pledges.

Sir *C. Burrell*, when he saw by the resolutions of the aggregate meeting, that the Catholics would not be pleased to grant pledges, could not consent to vote for the motion. He must first see the Protestant religion secured.

Mr. *Whitbread* was of opinion, that his right honourable friend (Mr. Tierney) had successfully exposed not only the imbecility, but the insincerity of ministers. He was astonished that any man could be diverted, by the Declarations of an angry meeting at Dublin, from giving due weight to the forcible, and, he should think, irresistible arguments of the right honourable gentleman who had so ably and eloquently brought forward the present motion, considering that it was in the power of parliament to accompany the measure, when it should ultimately be granted, with such pledges as they should chuse. Since the death of Mr. Perceval, he could not help remarking that ministers had yielded every point of their former policy. The minor points they might have yielded to the wishes of the people; but the major points they had conceded, not in the spirit of magnanimity but of pusillanimity; they were beaten by the people and parliament, but his right hon. friend (Mr. Grattan) had paid them much too high a compliment when he imagined that they had gained a victory over themselves. The noble lord said, he was for the resolution moved by the right honourable gentleman, but as a minister, that he would not act in such a manner as to give effect to it. The Chancellor of the Exchequer was of a similar mind. Then came a right honourable gentleman (Bathurst), who it was understood was to be in the cabinet, and he had declared that he should vote against the resolution. What an uneasy summer must these men have together? For he hoped the right honourable gentleman would follow up his resolution by moving that it be presented to the Prince; and he thought it impossible, after a question of such importance was submitted to the Prince Regent by parliament, that his ministers should not advise him to adopt the recommendation. He should not detain the House from the triumph of this day. On the head of his right honourable friend (Mr. Grattan) must rest and accumulate all the glory and honours of the victory. By the right honourable gentleman (Mr. Canning), had the immediate stand been made; but to his right honourable friend must attach the ultimate glory.

Mr. *W. Smith* thought the House could not but accede to the present Resolution. The security that should be given to the Protestant Church was all that remained to be determined; and that was an after consideration.

Mr. *Canning* said he rose with no disposition to avail himself of the privilege of a reply; but he was aware something would be expected from him, if not in answer to those who had opposed his motion, at least in the way of acknowledgment to those who had supported it: and first, his acknowledgments were due to him who had first raised his powerful voice in his own country, in behalf of his oppressed countrymen, and had, since the parliament was removed to England, illustrated the cause he supported by some of the finest specimens of eloquence which had ever been heard in that House. To the hand of that right hon. person should he willingly resign what remained of this contest. If he had been happy enough to succeed in removing something which stood in the way of success, he was amply recompensed by the gratification of his own feelings. But he confessed that although he would gladly see the completion of the work left to the hands of the right hon. gentleman; he would be still more gratified to find it taken up by the executive government, as it would be in their power to conduct it to the most favourable termination. He agreed that there were various ways in which administrations might have been formed more calculated to do good than the present. He thought that there might have been administrations, which, along with this question, could have carried questions essential to the existence of the government, and which could even have reconciled the public to submit with more resignation to the exigencies of the times. Administrations which might have assured us of the means of peace, and of the sustainment of war! But still he hailed the prospect of the vote of this night as the first step towards better times, and he augured this not alone from the support which his motion had received, but from the feebleness of the arguments against it. The noble lord had entertained the proposition before the House in the most candid and liberal manner; but a right hon. gentleman had been pleased to term it crude and undigested. How was it so? Was the principle of it obscure? He hoped and trusted it was not. What had the House been at for the last three years? They had frequently discussed the subject, and had always greatly differed. To reconcile those differences, or to draw them within a narrow compass, would be highly desirable. The present Resolution was not meant to overturn the Protestant establishment, but to strengthen it by admitting to a participation of the principles of the constitution, all those who had hitherto been excluded from it. If the right hon. gentleman supposed, that he (Mr. Canning), had any views which he had not explained, let him expose them. He hoped, however, the House would take the motion as it stood, and not be led astray by such arguments as had been adduced by the right hon. gentleman.—If the House only carried the question so far as to declare they would take it into consideration next session, it would be impossible the executive government should be out of that question. It might as well be contended, that in speaking of the duke of Marlborough it could be forgotten that he was a general; as to say, that the only recess in which this Resolution could not be known was his Majesty's cabinet. From various reasons it was not his intention to follow up the present Resolution, if it should be carried, in the way he had originally proposed, namely, by presenting the same to the Prince Regent; but it was his intention, in the first instance, to move that the Resolution be communicated to the House of Lords, and their concurrence requested to it. If they should be so fortunate as to obtain the concurrence of the other House to their Resolution, then they could go up to the Prince Regent with redoubled certainty of success. This, indeed, compared with what they had hitherto experienced, would be a contrast highly to be desired. Such must be considered as a bond of cordiality, peace, harmony, mutual good will, and corresponding happiness.

General Mathew's Amendment to Mr. Canning's motion was negatived without a division.

The House then divided on the original Resolution—

Ayes 235
Noes 106
Majority in favour of the Resolution——129

List of the Minority.

Adams, C.
Addington, rt. h. J. H.
Agar, E. F.
Apsley, lord
Archdall, gen. Mer.
Baker, P. W.
Bathurst, rt. hn. C. B.
Beaumont, T. R.
Benyon, R.
Bentinck, lord C. W.
Bernard, viscount
Blackburne, J.
Blackburne, J. T.
Bouverie, C. H.
Burrell, sir C. M.
Burton, F.
Calvert, J.
Chaplin, C.
Chaplin, C. jun.
Cholmondeley, T.
Chute, W.
Clements, col. H. T.
Clive, viscount
Coke, D. P.
Compton, viscount
Curtis, sir W.
Davenport, D.
Davis, Hart
Drake, Thos. T.
Drake, W. T.
Drummond, G. H.
Drummond, H.
Dufferin, lord
Egerton, J.
Ellison, R.
Estcourt, Thos. G.
Fane, J.
Farquhar, J.
Fellowes, W. H.
Ferguson, James
Featherstone, sir T.
Finch, hon. gen.
Fitzharris, visc.
Fitzhugh, W.
Gascoyne, gen. T.
Giddy, D.
Goulbourn, H.
Harvey, admiral
Heathcote, T. F.
Hinchinbroke, vis.
Houblon, J. A.
Jenkinson, hon. C.
Kenrick, W.
King, sir J. D.
Leslie, col. C.
Leycester, H.
Lockhart, J. J.
Loft, gen.
Loftus, gen.
Lowther, visc.
Lowther, James
Lowther, col. J.
Lushington, R. S.
Lygon, hon. W. B.
M'Naghten, E. A.
Magens, M. D.
Manners, gen.
Mexborough, earl of
Milnes, R. P.
Montague, M.
Moore, lord H.
Morris, R.
Nicholl, rt. hon. sir J.
Norton, hon. gen.
O'Neill, hon. T. R. B.
Onslow, hon. T. C.
Peele, R.
Plomer, sir T.
Price, sir C.
Rainier, J.
Rochfort, G. H.
Rose, G. H.
Ryder, rt. hon. R.
Shelley, T.
Shiffner, G.
Sloane, W.
Sneyd, R.
Somerset, lord A.
Stewart, N.
Stirling, sir W.
Shaw, sir J.
Strutt, J. H.
Sumner, G. H.
Sykes, sir M.
Thompson, sir T.
Thynne, lord J.
Tremayne, J. H.
Vereker, col.
Vyse, R.
Wallace, rt. hon. T.
Walpole, lord
Wemyss, general

Wigram, W.
Williams, sir R.
Yorke, right hon. C.
Yorke, sir J.

TELLERS.
Nicholl, rt. hon. sir J.
Yorke, right hon. C.

HOUSE OF LORDS.

Tuesday, June 23.

ROMAN CATHOLICS OF IRELAND.] Marquis *Wellesley* said, he rose for the purpose of giving notice of a motion upon a subject of the deepest importance to the interests of the empire. Early in the present session a motion was made to take into consideration the state of Ireland, which, under circumstances that then existed, he did not think it advisable to concur in. Subsequently a motion was proposed to take into consideration the state of the laws affecting his Majesty's Roman Catholic subjects in Ireland, to which he, feeling the essential importance of conciliating that class of his Majesty's subjects, and thereby giving unity and strength to the empire, had felt it his duty to support. That motion, however, met the fate of the former proposition, and was not acceded to by their lordships. Since that, in the powers entrusted to him by the Prince Regent with a view to the formation of an administration, it had been distinctly laid down as a basis of that administration, that the claims of the Catholics should be taken into early consideration, with a view to a final and conciliatory adjustment. Under these circumstances, he wished to give notice of his intention to bring forward a proposition for the purpose of pledging the House to an early consideration next session (it being impossible, he was afraid, to go into that consideration during the present session) of the laws affecting the Catholics, with a view to such final and conciliatory adjustment as may be conducive to the stability of the Protestant establishment and the general satisfaction and concord of all classes of his Majesty's subjects. For the sake of convenience he thought it better not to make the motion till next week, and therefore gave notice for to-morrow se'nnight.

Earl *Grey* declared his determination to support the motion, and expressed his great satisfaction that the subject was now to be brought forward under new, and, he trusted, happier auspices than had hitherto attended it. He could not help, however, congratulating himself and the country, on what had recently occurred. Yesterday it was exactly five years since the present parliament met—a parliament which was assembled in consequence of the dismissal of an administration for introducing a something into the Mutiny Bill, in favour of the Catholics—and which had been since called a little something in the Mutiny Bill—

The Earl of *Buckinghamshire* rose to order, contending that the noble earl was irregularly going into the discussion of the question.

The *Lord Chancellor* said, he was afraid he had suffered the House to get into a very disorderly state: a discussion of the subject was highly irregular, there being previously a question before the House.

The Earl of *Rosslyn* observed, that had the question been put for the Lords to be summoned for Wednesday, it would have been perfectly competent for his noble friend to have proceeded.

Marquis *Wellesley* said, if he had been guilty of any irregularity, he had been sanctioned by the noble and learned lord on the woolsack, who had assented to his giving his notice.

The *Lord Chancellor* said, he conceived that the noble marquis merely intended to give a notice.

Marquis *Wellesley* replied, that he had mentioned to the noble and learned lord, that he had intended to explain distinctly the grounds of giving his notice.

The Earl of *Buckinghamshire* said, he had heard the conversation between the noble marquis and his noble and learned friend, and he understood the former to state that he merely intended to give the notice.

Earl *Grey*, who had also heard the conversation, contended that the noble marquis had distinctly mentioned the manner in which he intended to give the notice.

Marquis *Wellesley* called upon the noble and learned lord to do him justice, by stating what he actually did say.

The *Lord Chancellor* said, he would not do so irregular a thing.

Marquis *Wellesley* said, he was then to understand that it was irregular to do him justice. He would move that the Lords be summoned for Wednesday next.

Earl *Grey* said, he was about to state to the House when he was interrupted, that yesterday it was exactly five years since this parliament first met, after the dismission of an administration for bringing forward an inadequate measure in favour of the Catholics; he said inadequate, because he felt it to be so; but was at the same time satisfied that more could not have been carried at that period. It would be recollected under what circumstances this parliament was assembled; a cry was sent forth through the country against the dismissed administration, upon the members of which every species of obloquy was cast, for the effort which they had made towards the conciliation of his Majesty's Roman Catholic subjects. Yet he had now the satisfaction to witness, and he congratulated himself and the country on the event, that in this very parliament the House of Commons had agreed to a proposition, the object of which was the complete conciliation of his Majesty's Roman Catholic subjects, and that proposition brought forward by one who was a member of the administration under whose auspices this parliament was assembled. This would teach him still more forcibly to persevere in the line of duty, whatever obloquy might be cast upon him, satisfied that sooner or later his motives would be justified to the public, and his conduct shewn in its true and proper light. With respect to the motion of which notice had been given by the noble marquis, it should have his cordial support. He regretted the necessity of postponing the consideration till next session, but it was impossible to bring forward the subject immediately. He should undoubtedly support a motion for pledging the House to take it into consideration early in the next session, satisfied that the object of it was of vital importance to the state. As to the stability of the Protestant establishment, which formed part of the intended motion, he would say that the Protestant establishment had not a warmer or more zealous friend than himself, and any securities that could be devised should meet his ready support; but he must say, that in his opinion the stability of the Protestant establishment would be best secured by the repeal at once of all the disabilities under which the Catholics laboured, taking as the best security their oaths of allegiance, and their acknowledged loyalty to the state. He thought also that a similar relief should be extended not only to Catholics, but to all classes of Dissenters. With respect, however, to what was more immediately the subject—the Catholics, he was decidedly of opinion that a repeal of all the disabilities under which they laboured, without any doubt, suspicion, or jealousy, would form the best security for the Protestant establishment, and the best safeguard to the state.

Earl *Stanhope* gave notice that he should within the two succeeding days name a day for the second reading of his Bill for the relief of Protestant Dissenters, after the discussion on the motion of which the noble marquis had given notice.

Earl *Grosvenor* said, he did not intend to bring forward the motion which he had formerly mentioned relative to the state of the nation, there being no point now remaining unconceded by ministers, excepting that respecting which a notice had now been given by the noble marquis.

The Lords were ordered to be summoned for Wednesday next.

HOUSE OF COMMONS.

Tuesday, June 23.

PETITION FROM BRADFORD RESPECTING THE RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] A Petition of the merchants and manufacturers of Bradford, in the county of York, was presented and read; setting forth,

"That the petitioners beg leave to represent to the House, that they conceive the commercial monopoly granted to the East India Company adverse to the interests in general of the British empire, and injurious in particular to the further prosperity of the various manufactures carried on in that large and populous district, and that the reasons for which this exclusive trade to India was first granted, no longer exist; and to prove that the commercial intercourse with the countries to the East of the Cape of Good Hope no longer requires the fostering aid of charter and exclusive rights, the petitioners request the House to advert to the great and rapidly increasing trade successfully carried on of late years to India and China by private adventurers from the United States of America; and they have to lament the mortifying fact, that, in these times of commercial depression and embarrassment, aliens are admitted to participate freely of that very trade which, from impolitic restrictions, is rendered nugatory to British subjects; and that the petitioners further beg leave to observe, that the port of London, either for export to or import of goods from the East Indies, possesses now no real advantages over the out-ports of the empire, where more dispatch and economy assuredly prevail, and where the duties are doubtless as securely and faithfully collected; and that the petitioners have strong reasons to believe, that many of their worsted and woollen articles, at present unknown in the East, would, through the zeal enterprize and discernment of individual exertion, find a copious and advantageous vent in those immense territories to the North and East of the peninsula of India, countries affording great variety of climate, and inhabited by millions of people in almost every state of civilization; and that the petitioners especially beg to state to the House, that they look to the great empire of China as the peculiar object of their hopes, a nation well calculated to consume largely of the staple manufactures of Great Britain, and particularly of the neighbourhood of Bradford, giving her silks, her teas, and other valuable articles, in return; and therefore, presuming the main causes for the monopoly removed, that it infringes the rights and privileges of the great body of British traders, deprives them virtually of access to a vast and important commerce manifestly beyond the means of the East India Company; and, at a time when so many channels for British industry and capital are either considerably obstructed, or entirely closed, the petitioners humbly pray the House to lay open to their exertions the trade to the continent and islands East of the Cape of Good Hope, and, above all, to China, permitting them a free choice of ships, ports and agents, and generally to place them on the same footing as British traders to the Western Indies, or any other British colonies; and the petitioners feel assured, that this measure would contribute more to the prosperity of these realms, in a commercial point of view, than any that ever claimed the consideration of the legislature; and that, finally, the petitioners rely on the wisdom and justice of the House, and, with humble but confident hope, look forward to its decision for the desired object of this their Petition."

Ordered to lie upon the table.

REVOCATION OF THE ORDERS IN COUNCIL.] Mr. *Brougham* rose and said—I never addressed the House with such heartfelt satisfaction as on the present occasion; because after what passed on a preceding night, it is to myself peculiarly pleasing to learn, that this day an Order has been issued by his Royal Highness in council, of a nature which, to me, and to the hon. friends with whom I have consulted, is perfectly, in every way, satisfactory*. In consequence of this gratifying proceeding, I rise to move that the order of the day for calling over the House,

---

* *From the Supplement to the London Gazette.*

At the Court at Carlton-house, the 23d of June, 1812; present his royal highness the Prince Regent in Council.

Whereas his royal highness the Prince Regent was pleased to declare, in the name, and on the behalf of his Majesty, on the 21st day of April, 1812, "That if at any time hereafter the Berlin and Milan Decrees shall, by some authentic act of the French government, publicly promulgated, be absolutely and unconditionally repealed, then and from thenceforth the Order in Council of the 7th of January, 1807, and the Order in Council of the 26th of April 1809, shall, without any farther order, be, and the same are hereby declared from thenceforth to be, wholly and absolutely revoked."

And whereas the Chargé des Affaires of the United States of America, resident at this court, did, on the 20th day of May last, transmit to lord viscount Castlereagh, one of his Majesty's principal secretaries of state, a copy of a certain instrument, then for the first time communicated to this court, purporting to be a Decree passed by the government of France, on the 28th day of April, 1811, by which the Decrees of Berlin and Milan are declared to be definitively no longer in force, in regard to American vessels.

And whereas his royal highness the Prince Regent, although he cannot consider the tenour of the said instrument as satisfying the conditions set forth in the said Order of the 21st of April last, upon which the said Orders were to cease and determine, is nevertheless disposed on his part to take such measures as may tend to re-establish the intercourse between neutral and belligerent nations, upon its accustomed principles; his royal highness the Prince Regent, in the name and on the behalf of his Majesty, is therefore pleased, by and with the advice of his Majesty's privy council, to order and declare, and it is hereby ordered and declared, That the Order in Council bearing date the 7th day of January, 1807, and the Order in Council bearing date the 26th day of April, 1809, be revoked, so far as may regard American vessels, and their cargoes, which is fixed for Thursday next, be discharged, since the necessity for enforcing it no longer exists. Under these welcome circumstances, I cannot sit down and close my lips as it were for ever upon the important subject of the Orders in Council, without expressing my sense of the frank and manly conduct of government in the mode they have adopted of recalling them [Hear! hear! from all sides.] To say more than this would be superfluous, and might be imputed to motives to which I shall not now refer; and to say less, would be refusing to do what in my mind is but an act of strict justice. As one of the country, and on behalf of the country, I beg to thank ministers for the manly and becoming Declaration they have made. It is fit that these expressions of satisfaction should originate on this side of the House, because, when an individual or a government, by circumstances, has been entangled in a certain set of measures, and the question is pressed upon them whether they shall be abandoned, I am persuaded that the fear, natural to human weakness, lest their opponents should indulge in a species of ill-judged triumph, has, more frequently than was fit, been the reason why those measures have been persisted in, long after the welfare of the state has required that they should be relinquished. For this reason I have thought that what I have said should come from me. I know that the effect of the revocation of the Orders in Council will be the revival and reanimation of our expiring trade and manufactures, and I hope that it will be met with a proper spirit in the United

---

being American property, from the 1st day of August next.

But whereas by certain acts of the government of the United States of America, all British armed vessels are excluded from the harbours and waters of the said United States, and the armed vessels of France being permitted to enter therein; and the commercial intercourse between Great Britain and the said United States is interdicted, the commercial intercourse between France and the said United States having been restored; his royal highness the Prince Regent is pleased hereby further to declare, in the name and on the behalf of his Majesty, that if the government of the said United States shall not, as soon as may be, after this Order shall have been duly notified by his Majesty's minister in America to the said government, revoke, or cause to be revoked, the said acts, this present Order shall in that case, after due notice signified by his Majesty's minister in America to the said government, be thenceforth null and of no effect.

It is further ordered and declared, that all American vessels, and their cargoes, being American property, that shall have been captured subsequently to the 20th day of May last, for a breach of the aforesaid Orders in Council alone, and which shall not have been actually condemned before the date of this Order; and that all ships and cargoes as aforesaid, that shall henceforth be captured under the said Orders, prior to the 1st day of August next, shall not be proceeded against to condemnation till further orders, but shall, in the event of this Order not becoming null and of no effect, in the case aforesaid, be forthwith liberated and restored, subject to such reasonable expences on the part of the captors, as shall have been justly incurred.

Provided, that nothing in this Order contained, respecting the revocation of the Orders herein-mentioned, shall be taken to revive wholly or in part the Orders in Council of the 11th of November, 1807, or any other Order not herein-mentioned, or to deprive parties of any legal remedy to which they may be entitled under the Order in Council of the 21st of April, 1812.

His royal highness the Prince Regent is hereby pleased further to declare, in the name and on the behalf of his Majesty, that nothing in this present Order contained, shall be understood to preclude his royal highness the Prince Regent, if circumstances shall so require, from restoring, after reasonable notice, the Orders of the 7th of January, 1807, and 26th of April, 1809, or any part thereof, to their full effect, or from taking such other measures of retaliation against the enemy, as may appear to his Royal Highness to be just and necessary.

And the right honourable the lords commissioners of his Majesty's treasury, his Majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judge of the high court of admiralty, and the judges of the courts of vice-admiralty, are to take the necessary measures herein, as to them may respectively appertain. James Buller.

States. The language employed by the British ministers is not foreign to that of conciliation, and I trust, therefore, that an equally conciliatory and friendly disposition will be shewn, as indeed it naturally must, by the American executive. If such an amicable feeling be not excited, though I cannot anticipate such an event, I shall be one of the last men in the country to say that in such a case, the government of the British empire ought not to be firmly supported—[Hear! from all sides.] One of the most beneficial effects of the mode in which this revocation has been made is, that it will have an advantageous operation on our negociations with the United States, and it is far better than if the Orders in Council had been formally annulled by a vote of parliament. It is a most forward step to offer the hand of friendship, and if accepted, I am convinced that neither of these independent nations will make any sacrifice of honour by mutual conciliation.

Lord *Castlereagh.*—It must always afford his Majesty's government great satisfaction to merit the approbation so liberally bestowed, but more particularly at the present moment. I was persuaded when the question, so long the subject of angry discussion, was stripped of the prejudices by which it was surrounded, that the step now taken would be viewed in its proper light. I hope, however, that it will not by any be supposed, that ministers have unadvisedly departed from their original intention, by the Declaration to which such encomiums have been applied. It is true, that there is a variation, and the difference is this: it was the wish of government, as expressed on a former occasion, that a suspension, and not a revocation, of the Orders in Council should be adopted, and the hon. member will not fail to recollect that in a resolution which he himself once proposed to the House, a suspension only was recommended. On consideration, however, it was found, that the word Suspension was not to be found in the Non-intercourse Act, and the President of the United States was only empowered to repeal it, on condition that the Orders in Council were revoked. It therefore appeared to ministers proper, in order that no risk might be incurred, that a revocation and not a suspension of the Orders in Council should be determined upon, Great Britain still preserving all the powers and rights she would have possessed provided the other course of proceeding had been deemed more expedient. In every other respect the Declaration was conformable to the original intention of government. The House will also find, that ministers, in a spirit of conciliation which was not less their desire than their duty, have made it not merely a revocation, but a retrospective revocation, to be in force from the moment that the French Edict declaring the Berlin and Milan Decrees repealed have been communicated to them. I have now only to return my thanks to the hon. member for the handsome manner in which he has introduced the subject, and I trust he will not consider that ministers are indisposed to receive his approbation because they think it necessary to state in what degree they deserve it.

Mr. *Baring,* before the matter was set at rest, wished to offer his congratulations to the ministers and to the country, both on the termination of the Orders in Council, as well as on the manner in which they had been terminated; the government, finding that it was necessary to abandon the system, had resigned it in a fair and liberal way. The honour of the country would in no respect be prejudiced, and her commerce and manufactures would be most materially benefited. He rose principally to express his own and the nation's obligations to the hon. member who mainly by his individual exertions, had brought the subject to so happy a conclusion—a conclusion which he believed must, and he knew ought to satisfy the American republic. (Hear! hear!) However eager the witnesses produced at the bar, and however anxious the manufacturers in general might be for the repeal of the Orders in Council, they would cheerfully make any sacrifices, however considerable, if America should make demands inconsistent with the interests or honour of the nation.

Sir *F. Burdett* concurred in the general opinion of the wisdom which the Prince Regent's government had displayed on the present occasion. But there was one point to which he wished again to call their attention, because it was one, which, perhaps, more than any other was likely to prevent or interrupt harmony with America—he meant the impressment of American seamen. The other day he had mentioned the impressment of one Williams, who, he understood, was really an American seaman, and he should be glad to know whether his case had been enquired into.

Mr. *Goulburn* said, that his hon. friend (Mr. Croker) being absent, he could not give any immediate answer to the question.

Lord *Castlereagh* wished to observe, that in the present stage of the negociations with America, the most active steps had been taken, to put an end to this source of misunderstanding. Our ambassador had asked a list of all persons in our navy, who were supposed to be American seamen, and when that list was procured, their cases would be forthwith enquired into.

Mr. *Ponsonby* entertained very little doubt, that the Order now issued would be perfectly satisfactory to America; but should she think proper to rise in her demands to what was unreasonable and unjust, no man would be more forward than himself to support the rights and interests of this country.

Mr. *Whitbread* had no question that this measure, now so happily adopted, would prevent the breaking out of hostilities with America. He would now only observe, that it was impossible to contemplate the happiness and delight which its prospect had diffused among the manufacturing districts of the country, without congratulating the House and the country on the occasion; and they would soon have the satisfaction of going to their several homes, and of every where finding the people employed, industrious, and satisfied. It was unnecessary for him to pass any eulogy on the manner in which his hon. friend had conducted himself through the whole of the inquiry; that conduct had been witnessed by the House itself. He hoped that concord with America would be speedily restored; and that together with it, in the course of a very few months, an attempt would be made by ministers to restore peace with France, which could not fail to be attended with the greatest blessings to the country, and which he believed had hardly yet been gone about in the spirit of conciliation, in any instance.

The order of the day for the call of the House on Thursday was then discharged.

Irish Tythes.] Mr. *Parnell* rose pursuant to his notice, to submit a motion to the House respecting tythes in Ireland. He said he felt that some explanation was due from him for bringing forward a subject involving interests of so much importance—and some apology for the trouble he should be obliged to give the House, in hearing him re-state arguments which he had before advanced. His explanation was, that the consideration of this question had become necessary, in consequence of the petitions and public declarations of nine of the largest counties in Ireland, all of them concurring in opinion, that some alteration in the system was absolutely indispensable. There was no doubt, the same opinion prevailed throughout all Ireland. Even the clergy were themselves well-wishers to some plan of relief. Bishop Woodward had said, that that man would be a great benefactor to the clergy, who could devise a plan by which they could receive an equivalent income by other means.—There was the authority of the right hon. gentleman (Mr. Pole) that tythes were a great evil. He said, last session, he should consider himself the most fortunate servant that ever served the crown, if he could discover an adequate remedy. Mr. Perceval had acknowledged the evil, he having prepared a Bill to give relief. Lord Redesdale had also prepared a Bill—and Mr. Pitt, in his Union speech, had said that tythes operated as "a great pressure on the lower orders, and were a great practical evil." Under all these authorities, he felt himself perfectly justified in calling the attention of the House, to adopt a remedy for this great and galling grievance. His apology for again proceeding to re-urge his former arguments, consisted in the necessity of making the peculiar circumstances of Ireland, in respect to tythes, thoroughly understood. Unless these circumstances were known, an English House of Commons might conceive the system was the same in that country as in this, and that no evil existed. He rested his case wholly on the dissimilarity of the circumstances of the two countries. He did not wish to bring to his aid those general objections which great authorities had made to tythes, as a provision for a clergy; but he wholly waved them, and would shew, that there did exist in Ireland that peculiar state of things, which would admit of the commutation of tythes there, without affording any precedent for a similar measure in this country. The first distinction consisted in the religion of the Irish. If, according to the best authorities, their number was taken at five millions, (a very moderate calculation,) it would be found that one-tenth of these only belonged to the established religion. Primate Boulter and bishop Woodward were evidence of this fact, nine-tenths of the people therefore paid two establishments. But they were not the complainants. The Protestants alone had petitioned. The Catholics paid the tythes, without any complaint—they had not interfered in the discussion of the question, not wishing to allow any one to suspect them of a wish to meddle with the Protestant establishment. It was, however, but common justice to enable them to pay this establishment in a way the least onerous and oppressive. The second distinction consisted in the modern enforcement of the payment of tithes in Ireland. Primate Boulter says, "since the Reformation, while the lands were mostly in Popish hands, the clergy took what they could get thankfully; and very few went near their livings."—Things remained in this situation until the surrender of Limerick, and at this period, and not before, the Protestant clergy began to realize the right to tithe; which, before, had only existed in laws not applicable, and not submitted to by the Irish people. Primate Boulter says, the tithe of agistment was only demanded in 1720. The demand was not acceded to; and the vote of the House of Commons in 1734, took away no realized right, but one which the Irish people had never acknowledged. To this day, the clergy had never been able to enforce the tithes on many articles, which, though given by the ecclesiastical interpretations of the law, have always been in abeyance. The inference from which circumstance is this, that the assertion is not founded in fact, that the lands of Ireland are sold and let, subject to a deduction of one-tenth of the produce to the Church. From this state of things arises a third distinction, between tithes in England and Ireland; namely, the uncertainty of what things are titheable, and of what rates are payable. In some parishes no tithes have ever been claimed on hay; in others for potatoes; and in others on flax; though the legal right is vested in the clergy to enforce the payment of them.—When these parishes fall into new hands, this right is often enforced, and the greatest injury is done to the landholders who have made bargains for their farms, calculating the charge of tithe according to what has before been claimed. This uncertainty gives the clergy the means of exercising the greatest oppression—it puts the whole of the landholders entirely into their power, and is the source of endless litigation, injustice, and oppression.—A fourth distinction consists in the way tithes are collected in Ireland. Every individual in Ireland, as a matter of course, is a landholder, if he can possibly become so. The poor exist on the produce of their own ground, and not, as in this country, on the wages of day labour; and there being no restraint on the division and alienation of land, there is a great facility of acquiring it.—The ground held by them is all in tillage—that held by great farmers is nearly all in pasture, and free from tithes. The consequence is, the income of the clergy is paid by the poor occupiers—by those who, in this country, would be entitled to parish relief. The further consequence is, that the clergyman is obliged to employ tithe proctors and tithe farmers to collect his tithes. The unlimited powers of the clergy on the one hand, and the absolute poverty of the people on the other, together with the severe habits of the proctors and tithe farmers, produce a degree of suffering and oppression, so galling and so universal, as it is scarcely possible to describe, almost impossible to be credited. Every art and every threat is made use of to extract from the landholder the greatest possible sum, as a composition for his tithe, and in case of refusal, the tithe is sold to the highest bidder. If a composition is agreed to, promissory notes payable in a year are taken, and thus all the lower orders are placed in the power of the proctors, it constantly happening that their notes cannot be paid when they fall due. A fifth distinction consists in the dissimilarity of the laws of England and Ireland; modern Irish statutes having deprived the Irish landholder of the redress, by compelling the clergy to draw their tithe, and in case of litigation of the trial by jury. Under all these circumstances, there was a good case for the interference of parliament, and enough was said to support the motion. But so much confidence had been expressed by the opponents to an alteration in the system, in the assertions they had advanced, that it was requisite to make some observations upon them. The right hon. gentleman (Mr. Pole) had said, tithes are not the grievance which oppress the poor of Ireland. Landlords are the oppressors: in them the evil is to be found. This was a very inconsistent argument, from one who has proved the existence of the evil, by the declaration that he would consider himself the most fortunate public man that now served the crown, if he could discover a remedy for it. But this charge against the landlords of Ireland was wholly unfounded—it was equally so, if brought against those persons who were called middle-men. Nothing was more unfounded than the prevailing opinion of the character of this class of men; their origin sprung from the Catholic penal laws—the confiscations of property, the expulsion of the great Catholic families—a state of things rendering it impossible for any quiet proprietor of land, a century ago, in Ireland, to obtain any thing from it, except by letting on long terms to the few solvent Protestants that inhabited the strong towns. But whatever evil might belong to the system, it was daily wearing out. The middle-men might in some instances have acted with severity towards their tenantry; but for the most part they were highly useful and exceedingly kind and charitable to the lower orders of the people. It had been said with great confidence, that if tithes were abolished, the landholder would gain no advantage, because his rent would be raised, even higher than the tithe he paid. No one could urge this without betraying an utter ignorance of the nature of rent and tithe—rent was a portion of the profit of land—tithe of its produce—if there was no profit to be made, there could be no rent paid—if there was any produce tithe must be paid.—A man gave rent as the price for the acre of land, voluntarily, and in order to receive a valuable return for his labour and time. Tithe was paid by nine-tenths of the people of Ireland, without receiving any corresponding advantage. Rent was paid in sums that were of a fixed amount, and at certain periods of time. Tithes were neither certain in amount, or paid at any fixed times. The landholder who paid a rent, received back the whole produce of his labour and capital. In paying tithe he gave a one-tenth part of his improved crops away. The laws protected most effectually the tenant in his dealings with the landlord—they placed him, in respect to tithe, wholly at the mercy of the clergy; it was, therefore, plain that the argument derived from this part of the question was good for nothing. But it was said, there is no particular plan—this, however, was a mere assertion to supply the place of better ways of combating the desired change. It was a mere trick of debate, and a most stale one, urged not only now, but against every proposition of a great and radical reform of a long established and inveterate grievance. Though the right hon. gentleman (Mr. Pole) might not have been able to discover a plan, it was no proof that every one was equally incapable of devising one. Every good system of politics was equal to the redress of every species of evil. There could be no doubt, that if the House would sincerely undertake the task, the result would be an adequate remedy. It is well known, Mr. Pitt had prepared a plan for the commutation of tithes in this country. He never would have held out the system of tithes in Ireland as a great practical evil, if he had not a plan digested in his mind for removing it. The fact was, that the only and true difficulty consisted in making a choice of several practicable plans. The first he should mention was—1st, a valuation of tithes by commissioners on the precedents of the acts of 26 Henry 8, c. 3; 27 George 3, c. 3; and 28 George 3, c. 44.—2d. An acreable tax on lands now subject to tithes, equivalent to the value of tithes now received, to be paid to the clergy. 3d. A provision to secure the clergy from the alteration of the value of money, on the precedent of 18 Eliz. c. 6, for securing to the universities the value of their lands, by making corn the criterion of the value of the rent received in letting them. Another plan was, 1st. A valuation as before. 2d. Payment by the treasury from funds to be derived from some general equitable tax; and 3d. A provision as before mentioned, relative to the alteration of the value of money. Another plan—by giving lands in lieu of the present value received by the clergy. Another, the enacting of a general modus; and further, a remedy might be gradually obtained by only the repealing of one act of parliament; namely, the 13th of Elizabeth; as it appears, in the opinion of justice Blackstone, that before the passing of that act, every landed proprietor could, by common law, make a composition with the clergy for the tithes payable on his estate, by giving a portion of it to the clergy with the consent of the ordinary. Of these several plans, the hon. member said, if he was to give an opinion which was the best way of proceeding, he should propose, in the first instance, to adopt an acreable tax; but at the same time make an arrangement by which lands should be purchased as fast as they could be procured, to be the final equivalent for the tithes to be taken away. The acreable tax to be continued to be paid to government, as interest for the sums necessary to be advanced to purchase the lands. It was not his business now to enter into the details of the plan; as his motion only required the House to consider the subject early next session. But if that motion was carried, he would be prepared to prove to the House that such a plan might be adopted upon the precedents of existing statutes, and with complete justice to the rights and interests of the Church.

The hon. member then proceeded to shew that his measure would contribute to the stability of the Established Church—that it would never be safe while the increase of its income generated so much discontent—that it would enable Ireland to extend her tillage, and thereby supply England with the food she could not grow for her own wants. That it would promote the internal tranquillity of Ireland, and by conciliating the people of that country, concentrate the resources of the empire; and concluding by moving—"That this House will, early in the next session of parliament, take into its most serious consideration, the state of the laws relating to tythes in Ireland, with a view to a legislative measure conducive to the relief of the lower orders of the people—and the more satisfactory provision of the clergy of the Established Church."

Mr. *Wellesley Pole* wished to avoid going over the ground which he had stated in his speech of last session, on a motion similar to the present, then brought forward by the hon. gentleman. There was nothing new in the speech of that hon. gentleman, nothing which was not stated last year. He had shewn him then, that not one of the plans which had yet been proposed for the commutation of tythes, but would have the effect of making the people of Ireland pay more than they at present paid. He called upon the hon. gentleman last year, to exert himself on the subject, and to endeavour to methodize his thoughts in a Bill, which, when brought into the House, he promised to discuss fairly with him. But instead of doing this, he had merely repeated this session what he had done in a former. The hon. gentleman had said, he wished to know what the clergy of Ireland really enjoyed at present, before proceeding to attempt to commute it. He (Mr. Pole) stated last year, that the clergy enjoyed between a twentieth and a thirtieth part of the produce; in many cases not more than a thirtieth. But in all commutations, it would be impossible to proceed upon any other principle than allowing the clergy what they were entitled to by law, namely, a tenth. If they then were to receive less than this, they would be deprived of their right; and if they were to receive a tenth, the people of Ireland would be paying more than the double of what they at present paid. The hon. gentleman had proposed an acreable tax; but this had always been found ineffectual; and it could not be carried into execution without great injustice and great violation of the existing laws. All pasture land was declared by the Irish parliament for ever free. The worst acre of land too would be put on the same footing with the best. They paid no tythes; so that there were difficulties on every point. He had said last year, that tythes were a great grievance among the lower orders of Ireland—and why? Because they did not understand the subject. The hon. member had accused him of speaking unfavourably of middle men. He would ask the hon. gentleman if he had ever heard of what were called land pirates, in Ireland? A gentleman in Ireland let 3 or 400 acres to what was called a solvent tenant, to whom it was not convenient to live on the ground, and who let it out again at a profit rent to persons who distributed it out into small parcels, and so it came at last into the hands of land pirates. The occupier of the ground had in this way, four or five rents to pay. The payment of tythes in Ireland compared to what it was in England, was a mere flea-bite. In a great part of Ireland there was no tythe on hay, in other parts, a very small tythe on potatoes; and all pasture land was free.

Sir *J. Newport* said, the noble lord opposite (Castlereagh) must surely have thought that some plan for the commutation of tythes was practicable, otherwise, why did he lead the people to believe so at the Union—this was one of the pledges at the Union. The right hon. gentleman who spoke last had said, that any commutation would only have the effect of making the people pay more than at present; but even supposing this to be the case, would not a man consent to pay even something more when he knew the utmost extent of it, and knew that, let him lay out what he chose in the improvement of his land, he would not be deprived of his return by additional exactions for tythes. He had the authority of a most respectable clergyman in Ireland who had resided between forty and fifty years in his parish, for saying, that if the Irish clergy were to collect their own tythes, there was not one of them that would not be an advocate for commutation. The right hon. baronet proceeded in illustration of the tyrannical exactions to which the people of Ireland were subjected by the tythe laws, to read a Notice served by Mr. James Moreland, the clergyman of the parish of New Ross, in the county of Wexford, on one of his parishioners, in which he warned him that he would not take his tenth till he should dig up all his crop at once, and that he would not allow him to dig up one potatoe before. This was the more oppressive as it was well known that the people were compelled, as their only means of subsistence, to live on the new crop of potatoes, long before a crop was fit to be dug up. This very living had been raised by Mr. Moreland in the space of seven years from 1,100*l.* to 3,000*l.* Was it to be wondered at then, if the legislature left them to themselves, that this oppressed people should be driven to the commission of the outrages at which the remembrance of 1798 made him still shudder. It might be proper to add, that this Mr. Moreland had formerly a living in Cavan. The parish was withdrawn from tillage to pasturage, for which it was unfit. One farmer said, it was impossible for any man to till in a parish where Mr. Moreland was rector. The people were obliged to procure the potatoes on which they lived, from another parish.

Lord *Castlereagh* admitted that individual cases of oppression must exist under any administration of law; but he thought it was not fair in the right hon. baronet to hold up in this manner, to public indignation, an individual who was not there to answer for himself, and who, upon examination of the case, might possibly be found to have acted in a manner different from the information which the right hon. baronet had received. He thought it was incumbent upon those, who felt an evil to be of sufficient magnitude to state to parliament, to propose some remedy for it. Although, in some cases of the greatest magnitude, like the question of last night, parliament might take it upon itself to find the remedy; yet in all ordinary cases of legislation, it was for the gentleman who stated the evil to propose the remedy. He thought that was the course which the hon. mover ought to have taken in this instance. He thought the right hon. baronet was too ready to consider every opinion delivered in debate as solemn pledges, which no times or circumstances could remove. He had been always friendly to a commutation for tythes, if it were practicable; but the great difficulty was to find any substitution for it which would not be felt still more heavily. Any arrangement must go on the principle, that the clergy had an absolute estate equal to one-tenth of the growing tillage of the country. He found very great difficulties in suggesting any substitute, notwithstanding all the pains he had taken on the subject. He should, however, be happy to confer with any one on the business, and would be glad to find any feasible plan proposed.

Mr. *Barham* said, he had often heard the cry, that the Church was in danger, but it was not from Sectarists, Catholics, or Dissenters of any description. The danger arose chiefly from the misconduct of its own members. For this reason he had always regretted that tithes had ever existed, as they had every where created a discontent which alienated the minds of the people from the religion they were bred in. He should, therefore, support the motion, because he thought it would tend to do away tythes.

Mr. *M. Fitzgerald*, knight of Kerry, said, there were some who doubted whether they should meddle at all with tythes, as being church-property; others doubted, whether they could legislate respecting them with any effect: but he was sure something ought to be done in regard to them, in order to relieve the grievous oppression which they were the means of inflicting on the Irish peasantry. Mr. Pitt had given it as his decided opinion, that it was a subject of vital importance, and well deserved the serious attention of the House. His hon. friend had therefore done no more than his duty in bringing forward his present proposition; and he would have been criminal if he had neglected to do so, and to call on parliament to take the subject into consideration early in the next session.

Mr. *J. Smith* declared, that he should be glad to see a total change in the principle of tythes, but not without an ample security to those who had property in them. If he could state to the House the instances of oppression of which he had heard and read, respecting tythes in Ireland, it would make the feelings of Englishmen revolt. Convinced that there was no subject of greater importance to the empire, he should certainly support the motion.

Mr. *Tighe* asked to whom were the people of Ireland to look for redress but to their representatives? The grievances with which the system of tythes abounded, were acknowledged by all parties, and he could not therefore perceive any rational objection to the motion.

Mr. *Wilberforce* was astonished at the difficulty of obtaining information on the subject of tythes in Ireland; but it was evident in many parts of that country the peasantry were much oppressed. It was a great advantage of the Union, that it brought the condition of the lower orders of the people of Ireland more completely under the contemplation and consideration of the empire.

Mr. *Parnell* said, that after the very able manner his arguments had been supported by his hon. friends, he should not detain the House many moments. He begged, however, to call their attention to the declaration of the noble lord. He had said he felt the strongest impressions of the great evils under which tythes are collected in Ireland—of the great relief, a remedy consistent with the rights of the clergy would afford—and of the value such a remedy would be to the stability of the Church. These are the three propositions which it was the object of his argument to prove.—He therefore felt that he had been most completely borne out in the correctness of that argument by the noble lord's declaration. His offer to communicate with him on the subject, with a view to the arrangement of some remedy, he would accept most thankfully; and he should undertake the task with a determination that the noble lord should not find him wanting in zeal and industry to give effect to those intentions of fairly meeting the difficulties which he believed him seriously to possess. In regard to the speech of the right hon. gentleman (Mr. Pole), it was rather hard that he should censure him for not obeying his injunctions to prepare and propose a plan in the beginning of it, and then occupy two-thirds of his argument in endeavouring to shew his plan was a bad one. What he had said in respect to that plan, was wholly irrelevant, and when the proper time should come, he would shew that none of his objections deserved the least credit.

For the motion 36; Against it 39; Majority 3.

List of the Minority.

Babington, T.
Bagenal, W.
Barham, J. F.
Bernard, T.
Burdett, sir F.
Bennet, hon. H. G.
Baring, A.
Creevey, T.
Cuthbert, J. R.
Dillon, hon. H. A.
Gower, lord
Grenfell, P.
Horner, F.
Herbert, hon. W.
Hamilton, sir H.
Hutchinson, C. H.
Knight, R.
Knox, hon. T.
Lockhart, J. I.
Lloyd, I. H.
Macdonald, J.
Martin, H.
Mathew, hon. M.
Newport, sir J.
Piggott, sir A.
Ponsonby, rt. hon. G.
Ponsonby, hon. G.
Romilly, sir S.
Smith, J.
Smith, W.
Trench, F.
Tighe, W.
Tierney, rt. hon. G.
Wilberforce, W.
Whitbread, S.

TELLERS.

Parnell, H.
Fitzgerald, M.

HOUSE OF LORDS.

Wednesday, June 24.

DELAYS IN CHANCERY.] Lord *Redesdale* called the attention of their lordships to the great grievance arising from the number of appeals before the House, and the delay in deciding upon them. He thought it of the greatest importance that some measure should be adopted even in the present session, late as the period was, in order that next session a commencement might be made in a more expeditious mode of getting through the appeals. To do this he thought it would be absolutely necessary to provide assistance to the Lord Chancellor in the Court of Chancery in order that that noble and learned lord might be enabled to devote more time to the hearing of appeals in that House.

The *Lord Chancellor* stated the great evils that arose from the delay in the judicial business of the House, and observed, that he had forborne from pressing the subject whilst under consideration in a committee of the other House. The report of that committee had, however, now been made, and he must observe, that it was quite impossible for the House to get through its judicial business without some other arrangement was resorted to, it being impossible for the Chancellor to devote a sufficient portion of time to the hearing of appeals, unless assistance was given to him in the Court of Chancery.

Lord *Ellenborough* concurred in opinion that some prompt arrangement was absolutely necessary, with a view to the more expeditious hearing of appeals, otherwise there would be a denial of justice to the public, and the character of the House would be disgraced.

The Earl of *Liverpool* also urged the necessity of some measure being adopted in the present session, for that purpose.

Earl *Grey* thought, that before any such measure was resorted to, an enquiry ought to take place, as to whether the business in the Court of Chancery had actually increased, it being understood that the number of Bills in that court was not so great as in the time of lord Hardwicke.

Lord *Redesdale* contended, that the number of Bills was no criterion of the business of the Court of Chancery, which he knew of his own knowledge had immensely increased. The increase arising from motions of various descriptions, from cases of bankruptcy, and a variety of other matters. Causes also lasted much longer now, not only in the Court of Chancery, than they had done within his own experience, but also in other courts, and likewise in that House, from the practice of a greater number of counsel being employed on each side, and their speeches being much longer than formerly.

The *Lord Chancellor* observed, that whoever might be Chancellor, it was impossible for any man in that situation to attend sufficiently to the business in the Court of Chancery, and the judicial business in that House.

Revocation of the Orders in Council.] Earl *Fitzwilliam* adverted to the notice he had lately given, that he might feel it necessary to trouble the House with a motion on the subject of the Orders in Council, but observed that the document which had been published yesterday, in the Gazette, was perfectly satisfactory, and, therefore, he did not mean to bring forward any motion upon the subject. He was happy that ministers had at length retracted the errors of their former policy, and had no doubt that the measure they had adopted would be perfectly satisfactory to the manufacturing interests of the country.

The Earl of *Liverpool* disclaimed for himself and his colleagues, in the adoption of the measure alluded to, any acknowledgment of errors in their former policy, contending, on the contrary, that the Orders in Council had been highly beneficial to the commercial interests of the country. The circumstances which had led to the adoption of this measure it was not now necessary to advert to. In consequence of the communication of the Decree of the French government revoking the Berlin and Milan Decrees, so far as regarded American vessels, it had been thought expedient by his Majesty's government to revoke the Orders in Council, so far also as regarded American vessels, with the view, if possible, of bringing back the commerce of belligerents to right and just principles. If, however, that should be found impossible, his Majesty's government reserved the full power of resorting to such measures as circumstances might require.

The Marquis of *Lansdowne*, whilst he condemned the conduct of ministers, in suffering the investigation relative to the Orders in Council publicly to proceed, and thereby disclosing facts which might be mischievous, when they might themselves as a government have privately obtained all the requisite information, gave them at the same time full credit for the decisive and satisfactory nature of the document which was yesterday published, and which he was decidedly of opinion ought to satisfy the manufacturers of this country, and ought to satisfy the United States of America. Should however the United States, not satisfied with this concession, go beyond the line in their demands, which the maritime rights and honour of this country prescribed, he should feel it his duty, and he was satisfied his noble friends who sat around him, would also feel it their duty to support the government against any such demands, and thereby to support those maritime rights which were essential to our welfare. His lordship concluded by moving an Address to the Prince Regent, praying for a Copy of the Document published yesterday relative to the Orders in Council, which was agreed to, and ordered to be presented by the lords with white staves.

HOUSE OF COMMONS.

Wednesday, June 24.

Petition of the Creditors of the Nabobs of the Carnatic.] A Petition of several creditors of his highness the nabob Wallah Jah, formerly nabob of Arcot, and now deceased, and of his highness the nabob Omdut Ul Omrah, late nabob of Arcot, and of his highness the Ameer Ul Omrah, now also deceased, or one of them, and parties to the articles of agreement hereinafter mentioned, was presented and read; setting forth,

“ That an act was passed in the 46th year of his present Majesty, entituled ‘ An Act for enabling the Commissioners acting in execution of an Agreement made between the East India Company and the private Creditors of the Nabobs of the Carnatic, the better to carry the same into effect,’ wherein it is recited, that, by certain articles of an agreement indented had made, concluded, and agreed upon, and bearing date the 10th day of July 1805, between the United Company of merchants of England trading to the East Indies of the one part, and the several persons whose hands and seals should be thereto set and affixed, and who respectively were, or claimed to be, creditors of his highness the nabob Wallah Jah, formerly nabob of Arcot and of the Carnatic in the East Indies, and now deceased, and of his highness the nabob Omdut Ul Omrah, late nabob of Arcot and of the Carnatic, eldest son and successor of his said highness the nabob Wallah Jah, and now also deceased, and of his highness the Ameer Ul Omrah, the second son of his said highness the nabob Wallah Jah, and now also deceased, or of some or one of them the said several nabobs and the said Ameer, of the other part ; it is witnessed and covenanted between the said parties, that the said United Company and their successors should, so long as the administration of the revenues of the Carnatic Payen Ghaut should be vested in them, set apart annually in their treasury at Madras the sum of star pagodas three lac forty thousand, if, after defraying all the charges of collecting the said revenues, so much should be realized to, and be received therefrom, by the said United Company, into their said treasury at Madras, in order to form a fund for the payment of all the just debts to private creditors remaining unsatisfied of the said nabob Wallah Jah, the said nabob Omdut Ul Omrah, and the said Ameer Ul Omrah, in the manner and subject to the terms, conditions, provisoes, stipulations, and agreements thereinafter contained ; and that the said several persons, parties to the said several articles of agreement, of the second part, did, and thereby severally and respectively for themselves, and their respective heirs, executors, and administrators, accept the said fund so provided and to be administered as therein is mentioned, in full satisfaction and discharge of all claims and demands whatsoever which they the said parties severally ever had, directly or indirectly, on the said nabob Wallah Jah, or the said nabob Omdut Ul Omrah, or the said Ameer Ul Omrah, or any of them ; and that it is further agreed, that the honourable Richard Ryder, of Lincoln's Inn, in the county of Middlesex, Benjamin Hobhouse, of Dover Street, Piccadilly, in the county of Middlesex, esq. and Thomas Cockburn, of Devonshire Street, in the parish of Saint Mary-le-bone, in the said county of Middlesex, esq. and their successors, to be appointed in manner thereinafter mentioned, should be commissioners and referees in England for the investigation of the origin justice and amount of the several debts claimed to be due to the several persons, parties thereto, of the second part, and of the rights of such claimants to such debts, and to participate in the fund thereby created for the discharge thereof, and also for the apportionment of the said fund amongst the parties entitled thereto, and for doing and ordering such other matters, as it is thereby agreed should be done or ordered by them ; and that, in order to the more complete investigation of the matters thereby submitted to the said commissioners in England, it is by the said articles of agreement declared and agreed, that the governor general of Fort William, in Bengal, in council for the time being, should appoint three persons from amongst the covenanted civil servants of the said United Company on the Bengal establishment to sit at Madras, and to be and act as commissioners and referees in India, for the purposes therein mentioned : and by the said act it is enacted, that the commissioners thereinbefore mentioned, as soon as they conveniently could, after the passing of that act, and before they should proceed further in the execution of the trusts reposed in them, and all future commissioners to be named and appointed for the purposes therein mentioned, as well in England as in India, before they should enter upon the execution of the trusts to be reposed in them, should take an oath to the effect therein mentioned ; and by the said act the commissioners to act in the execution of the trusts of the said articles of agreement, were empowered to examine *vivâ voce*, or upon written interrogatories, upon oath or affirmation (which oath and affirmation they are thereby authorized to administer), all persons, whether parties or witnesses, touching any matter referred to the said commissioners ; and the said commissioners, and all courts, judges, masters in chancery, magistrates and justices of the peace, and all masters extraordinary in chancery, and all commissioners and persons who were or should be authorized to take affidavits, and all persons in the East Indies duly authorized to administer oaths, were authorized to administer an oath or affirmation to any person or persons making an affidavit or deposition in writing, touching any matter referred to the said commissioners, or relating to the trusts reposed in them; and by the said act provision is made, that all persons who upon such examination, or who in any such affidavit or deposition should wilfully and corruptly give false evidence, or who should make any false answer, statement, or deposition, should be subject to such pains and penalties as persons convicted of wilful and corrupt perjury are subject to: and provision is also made for compelling the attendance and examination of witnesses, and the production of papers, and for defraying the expences of witnesses; and that the commissioners acting in England should present from time to time, to both Houses of Parliament, lists of the claims preferred to them, and lists of the claims decided upon by them, with the grounds of their decision: and it is enacted, that the powers and authorities by that act given to the said commissioners then appointed, and to the person and persons thereafter to be appointed commissioners, as well in England as in India, should continue in force until the 10th day of August, 1810, and from thence until the end of the then next session of parliament; and that the said Richard Ryder having declined to act in the trusts of the agreement mentioned in the said act, Francis Horner, esq. was appointed a commissioner in his stead, and, after having acted as such for some time, he declined further to act, and thereupon Charles Grant the younger, esquire, was appointed a commissioner in his stead; and the said Benjamin Hobhouse, Thomas Cockburn, and Charles Grant, are now the commissioners acting in England in the trusts of the said articles of agreement, and commissioners have been duly appointed to act in India; and that, by an act passed in the 50th year of the reign of his present Majesty, entituled, "An Act to continue, until the 25th day of March, 1813, the powers of the commissioners appointed in pursuance of an Act of the 46th year of his present Majesty, for enabling the commissioners acting in pursuance of an agreement between the East India Company and the private creditors of the nabobs of the Carnatic the better to carry the same into effect," the powers and authorities by the first mentioned act given to the commissioners thereby appointed, and to the person or persons thereafter to be appointed, as well in England as in India, were continued in force until the 25th day of March, 1813; and that, by reason of the multiplicity of claims which have been made to the said commissioners, it has been impossible for them hitherto to receive their instructions from India, and to decide thereon; and it is apprehended that the matters referred to the said commissioners, and to the commissioners in India, cannot be gone through until after the expiration of the enlarged time during which the powers and authorities vested in them by the first recited act will remain in force; and it will be a great injury to the petitioners if the trusts of the said articles of agreement should not be carried fully into execution, or if the commissioners in England and in India should proceed therein without having the powers and authorities vested in them by the first recited act; and that if no act shall be passed in the present session of parliament to enlarge the time for their continuance, it is not probable that any act to be passed for that purpose in a future session can be known of in India till after the expiration of the period limited by the said act; and that, by reason of the unforeseen number and intricacy of the claims which have been preferred, the probability of the commissioners being able to close the reference to them within the time during which their powers and authorities, under the first recited act, will remain, could not be ascertained until after the period fixed by the House for receiving Petitions for private Bills had expired; and praying, that leave may be given to present a Petition for leave to bring in a Bill to enlarge the time for the continuance of the powers and authorities which, in and by the first-recited act, are vested in the said commissioners, as well in England as in India."

Ordered to be referred to a Committee.

Inland Navigation of Ireland.] Sir *John Newport*, having stated his reasons for postponing to a future period the Resolutions he had intended to bring forward this day, relative to the Irish Civil List Act, proceeded to call the attention of the House to a subject of which he had given notice, namely, the Inland Navigation of

Ireland; and in doing so, he said he should have little more to do than to advert to the papers already on their table, for the purpose of bringing under one succinct view the real state of the question. By an act of the Irish parliament, the sum of 500,000*l.* had been granted for the prosecution of the Inland Navigation of Ireland, and it was directed by the same act, for the purposes of economy, that this sum should be placed under the management and direction of five directors, with a salary of 500*l.* a year to each. In this view, however, the purposes of economy, which the act had in view, by the appointment of those directors, would have been better answered, if a stipulated sum had been granted them, instead of an annuity, to prolong the duration of which they would be likely to husband the money, not so much with a view to the purposes for which it was granted, as to benefit themselves. This, in fact, had been the case; for any gentleman would find, on a reference to the documents, that within a very short period, out of 197,000*l.* one-fourth had been appropriated to the directors; in the last year, out of 17,700*l.* the sum of 5,300*l.* was absorbed to other purposes than those of the prosecution of Inland Navigation. On a comparison with the manner in which the concerns of the Caledonian Canal were administered, a striking difference would appear; for there, out of 540,000*l.* under the management of nine directors, the whole salaries and incidents, including the engineers, amounted to no more than 12,000*l.* being in the one, only a twenty-fifth part; while in the other, it was one-fourth of the sum expended.* As a proof of the abuses which existed in this department, he referred to a letter he had received from a gentleman of great property and respectability in Limerick, which stated, that in consequence of a squabble between the trustees of the Shannon Navigation, and the commissioners of Inland Navigation, relative to some works which had been carried away by a winter flood, the whole progress of that Navigation had been put a stop to, and the public deprived for two years of the benefit of the work. His object then was, to record those facts on the Journals, as a ground-work for the last Resolution which he meant to propose, and which went to this, that the Inland Navigation of Ireland should in future be placed under the controul of the Board of Treasury in Ireland, who did not appear to be overburdened with business, and had sufficient leisure for such an undertaking. The right hon. baronet then read the following Resolutions, which he meant to propose, in order to put the House in possession of the subject of his motion:

1. "That the Irish statute 40 Geo. 3, c. 51, directs the sum of 500,000*l.* to be applied to the improvement of the Inland Navigation of Ireland, and in order that regulations may be established, by which the system may be carried on with propriety and economy, empowers the lord lieutenant to appoint five persons directors of such establishment, with an annual salary to each of 500*l.*

2. "That, between the 12th of August, 1800, when the appointment of those directors took place, and the 5th of January, 1812, the sum of 412,002*l.* was issued from the treasury of Ireland on account of the aforesaid grant, of which 197,260*l.* was paid to the directors, to be expended in detail on works carried on by engineers employed by them, and 214,752*l.* was paid to different private canal companies, upon certificates from the Navigation Board, of contracts entered into and completed by the said private companies.

3. "That out of the above sum of 197,260*l.* the commissioners entrusted with the management thereof have applied to the payment of salaries and incidental expences of their own establishment, exclusive of engineers, 57,604*l.* which is much more than one fourth part of the sum so expended in detail under their management, and inclusive of engineers and their incidental charges 76,946*l.* fully two fifth parts of the sum so expended.

4. "That upon the Caledonian Canal, between October 1803, and May, 1811, 342,915*l.* have been expended in detail under the controul of nine commissioners acting without salary, and that the salaries incidents and travelling expences of all persons employed under those commissioners, including engineers, amounted to 12,740*l.* and the charges of labour and workmanship to 259,097*l.*

5. "That the expenditure of such part of the Irish grant of 500,000*l.* as still remains unapplied, and of any further sums which parliament may think proper to appropriate in aid of the great object of improvement of the Inland Navigation of Ireland, may be adequately and effectually applied and controuled by the Board of Treasury of Ireland, and engineers under

their direction; and that the further continuance of the Navigation Board of Ireland would be a profuse and unjustifiable application of public money."

The first Resolution being read from the chair,

Mr. *W. Pole* said, that he hoped to be able to prove, to the satisfaction of the House, that the Resolutions proposed by the right hon. baronet were altogether unnecessary. He had made general statements of various kinds, but had mentioned no particular subjects which could attach blame either to the Irish government or the commissioners. So far from those gentlemen having had sinecure situations, their salaries were stopped, if three of them did not attend two days in every week—and out of the 57,000*l*., mentioned as the gross sum appropriated by them, the mere amount of their salaries for the period was 36,000*l*. and the overplus could be easily accounted for, when it was considered that the commissioners were obliged to have a variety of officers at all the different canals. No board could have acted with greater attention to economy, or to the public interest; and the fact was, that if government had acceded to some of the plans recommended by them, the whole sum would have been expended long ago; which sufficiently refuted what had been advanced by the right hon. baronet on that point. Though he had pronounced a severe censure on the commissioners, the only fact he had adduced was that of a squabble between them and the Shannon Navigation Company. But their conduct, in this instance, had been guided by a principle of economy, and he had no hesitation in saying, that he would most cheerfully agree to the papers respecting the whole transaction being produced. He denied also, that the board had nothing to do—for their attention had been assiduously directed to the concerns of the Royal Canal, the Grand Canal, the Barrow Navigation, &c. and, in addition, they had prepared an able memoir on the situation of Ireland with respect to inland navigation—in short, their whole time and attention was devoted to the object entrusted to them. The right hon. gentleman then paid a high compliment to the ability, diligence, and meritorious public services of Mr. Sackville Hamilton, the chairman of the board; and after denying that it would be possible for the lords of the treasury in Ireland to give their attention to the subject, from the various duties they had to perform, he concluded by moving "The previous question" to the first Resolution; and signifying his intention of moving a negative to the last, if he was successful in that motion.

Mr. *Parnell* said, the right hon. gentleman had entirely mistaken the object of the right hon. baronet's motion, it was not intended as a censure either of the commissioners or of the government, but of the system. This system commenced under an act passed at the recommendation of a committee of the Irish House of Commons, and consisted of placing the direction of inland navigation in Ireland under commissioners, having powers to give half a million of money in aid of new canals. On reviewing the fruits of the plan, he was of opinion, that the public had not derived that return which so large a public aid entitled them to.—That the works actually executed, were not by any means so extensive, as might have been made if this sum had been given at once to the established canal companies by parliament under proper regulations. These companies would willingly have expended a large proportional sum to the aid received; and thus the half million would probably have obtained an extension of canal navigation costing from 700,000*l*. to 1,000,000*l*. of money. These companies, particularly the Grand Canal Company, had shewn by their success and powers, in executing works of this kind, that under such a plan the object of parliament would have been by this time fully attained, and, till it was adopted, he was sure that every new effort would be attended with new disappointment. He begged to be understood as concurring in every sentiment expressed by the right hon. gentleman concerning the commissioners, more particularly in what he had said respecting the first commissioner—his objection went to the system alone, as one very expensive to the public, and very inadequate to its object. He could not admit that the works executed by the commissioners formed any ground for continuing them. To attempt to keep canals in repair, and to manage their concerns by public commissioners, was highly impolitic. Those canals ought to be sold to private undertakers, with powers to levy such tolls as would be sufficient to keep them in repair, and give a fair profit for the trouble of superintending them—the principle of suffering any body of public servants to pay themselves out of any given fund for which they were unaccountable, was improper. He sincerely hoped that some mode would be adopted to give greater efficacy to the desire of parliament, to extend the canals of Ireland; no measure would be more conducive to its general welfare, and also to the interests of this country.

Lord *Castlereagh* passed some high eulogiums upon the chairman and other commissioners who had been appointed to carry the Resolutions of the Irish House of Commons into effect. As to the proposition for placing the duties which had hitherto been performed by those commissioners upon the Board of Treasury, he thought it highly objectionable; and one which could not, consistently with any of those principles upon which the original system was adopted, be acceded to. With respect to the suggestion that there was no necessity to keep the Canal Board perpetual, he begged leave to observe, that to this, as a general proposition, he was ready to agree; and when once the purposes for which that board was appointed was effected, he should certainly agree to their removal, but until that end was accomplished, all the objects which were anticipated, and the inland navigation of Ireland, under their auspices, had arrived at a pitch of superiority which, under any other circumstances, could not have been attained.—As the author of the measure, he felt no reason for being ashamed: but, on the contrary, was fully satisfied that the ends he had in view were fully accomplished. The noble lord concluded by declaring his intention to oppose the Resolutions.

Mr. *W. Fitzgerald* said, that so far from being ashamed of being the author of the measure which was now the subject of discussion, the noble lord had every reason to congratulate himself and the country on the happy results which had been derived from it.—The hon. gentleman then adverted generally to the great improvements in the inland navigation of Ireland, as well in the Shannon as elsewhere, circumstances which he considered as in a great measure attributable to the exertions of the commissioners, and particularly to the talent, zeal, and experience of their chairman.

Sir *John Newport*, in reply, said, he did not mean to deny the merits of the chairman of the commissioners; he gave him full credit for all the talent which had been attributed to him. All he meant to urge was, that as the Caledonian Canal, which was admitted to be a work of considerable magnitude, and on which a sum of 340,000*l.* had been expended, was carried on without commissioners; the inland navigation of Ireland might be promoted with equal facility. It was such charges as these, as well as a variety of other charges equally unnecessary, which were observable in every department of the Irish government, that reduced the revenue of that country, and placed her in a comparatively dependent state upon England. This it was he wished to obviate, and therefore it was that he felt himself justified in submitting to the House the Resolutions which he had read.

After a few further observations the question was put, and the gallery was cleared for a division—the result of which was as follows:

For the Resolution 13; Against it 51; Majority 38. The Resolution was consequently negatived, as were all the others, without a division.

TITHES ON POTATOES IN IRELAND.] Mr. *Maurice Fitzgerald* rose, in pursuance of his notice, to submit to the House a proposition relative to the tithing of potatoes in Ireland. He observed, that the tithe upon this species of property was extremely partial throughout that country. In some provinces it was collected with the utmost tenacity, while in others it was not taken at all. In Connaught, for instance, there was no tithe taken on potatoes, and in the North of Ireland, the tithe was by no means general. His object, therefore, was to bring this description of tithe under some degree of regulation, and if possible, to ameliorate, in this respect, the situation of the poorer classes of the community of that country. The principle upon which he acted, was in a great measure similar to that upon which the act of the 28th of the King was passed for limiting the tithe upon hemp. The tithe was limited with a view to encourage the growth of that article; and if it was considered expedient to encourage the growth of hemp, he thought it would be deemed infinitely more important to encourage the growth of a vegetable which constituted the sole food of the greater part of the agricultural peasantry of Ireland. He would do the clergy of Ireland the justice to admit, that they did not in general exact this tithe with severity; but in tolerating the system of tithe farming, they suffered to exist a fruitful source of extortion, by which the most helpless objects were oppressed in the most dreadful manner; a circumstance which he hoped would be considered by the House as sufficient ground for the introduction of the Bill which it was his intention to submit to their consideration. The right hon. gentleman then took a view of the right of the Church to exact one-tenth of the produce of the land, by way of tithes. This was a principle which he could by no means admit to exist in the laws of the land, and which, if duly weighed, he was convinced could not be supported by existing statutes. After some ingenious arguments on this topic, he said, his intention at present was simply to bring in the Bill, with a view to its passing through one stage, in order that it might be printed. After which it could be considered by the clergy, as well as the laity of Ireland; and in the course of the next session could be argued with all the advantages of mature deliberation and collective opinion. The right hon. gentleman concluded by moving for leave to bring in a Bill for better ascertaining the Tithe on Potatoes in Ireland.

Lord *Castlereagh* said, that if he had not already agreed to the introduction of the Bill, in consequence of a conversation which he had held with the right hon. mover, he should, from the principle which he had last laid down, have felt it his duty to resist it in the very first stage. What! would the right hon. gentleman assert, that the Church had no right to that property which had been considered inherent in it from the first formation of the constitution, and which was recognized by every law of the land? No proposition could be more monstrous or more inconsistent with those principles which formed the very basis of ecclesiastical right. As well might the right hon. gentleman say that he had no right to his own estate, according to ancient principles of service, and so forth. The House, he was sure, would not sanction so extraordinary a proposition. As, however, he had declared his intention not to oppose the Bill in the first instance, he should now redeem his pledge; impressing, however, upon the House his total and unqualified disapprobation of the principles which had been laid down by the right hon. gentleman as to the right of the Church to all those dues which, from the earliest periods, had been yielded to them without question.

Mr. *Martin* said, if there was one time more inauspicious than another for the introduction of the measure now submitted to the House, it was the present. It would tend to shew the Protestant clergy of Ireland, who were a very numerous and respectable body, that a disposition existed to deprive them of those rights which had never heretofore been disputed. At such a time as the present, when the Catholic claims were to become a subject of general discussion, a measure for which he was the sincere advocate, he thought the proposition was calculated to produce the worst effects; and, under this impression, he should take the sense of the House on the expediency of granting the motion. As an advocate of the Catholics, he should be anxious to demonstrate to the Protestant clergy that he was no less anxious to protect their interests. The arguments of the right hon. gentleman were exactly the same which had been made use of in the National Assembly of France against the *Biens de l'Eglise;* and it would appear therefore, that he was indebted to French literature for all his ideas on the subject.

Mr. *M. Fitzgerald* said, he founded the Bill on its own merits, and not upon any observation he had made, or opinion he held, respecting the rights of the clergy.

Mr. *Parnell* wished to shew that the right hon. gentleman was not entitled to place so much confidence in his own opinion, of the impracticability of commuting tithes. He begged leave to state that there were very great authorities who differed from him. In the first place, he would name a dignified clergyman, archdeacon Paley, he had said that a commutation was very easy to be effected; next, he would quote a great lawyer, lord chief justice Mansfield, he had been the advocate of a commutation; and lastly, he would refer him to the opinion of a great statesman, Mr. Pitt. He had prepared a Bill for a commutation of tithes in England, and would never have said, as he had said in his speech on the Union, that tithes were a great pressure on the lower orders of the Irish people, and a great practical evil, unless he had prepared a plan for giving relief. What the right hon. gentleman had said, in respect to his intentions, concerning lay tithes, was not correct, he meant to commute them also; and so far from the exemption from tithes on some articles, being an advantage to the Irish, as that exemption depended on the clergy not enforcing their right, the right when enforced, as was now daily the case, operated as the greatest grievance.

The *Chancellor of the Exchequer* professed himself to be one of the most strenuous supporters of the rights of the Church; but he would not, however, oppose the introduction of the Bill, because he wished to give it fair play, and to see what it would propose to the legislature. He was sorry to hear the distinction made by the right hon. gentleman, between Church, and other property.

Mr. *Fitzgerald.* I made no such distinction.

The *Chancellor of the Exchequer.*—Then I am glad to be set right; for the property of the Church has a prescription reaching into ages, which no lay property can boast.

Mr. *Robinson* spoke against the introduction of the Bill.

Sir *J. Newport* thought his right hon. friend extremely hardly dealt with. The usage of the House was swerved from in the present instance, for the debate was renewed after his right hon. friend's reply. He then ridiculed the solicitude of the noble lord opposite, for the sacred rights of the Church,—that very noble lord, who, at the Union, recognised the Act of Agistment,—when he must have well known that the consequences of that Act were, that the clergy had lost their right of tithe to the pasture of the rich, and were driven for support to the potatoe gardens of the poor. How conscientious was his regard for the rights of the Church!

Mr. *Martin* said, that he had no objection to withdraw his opposition after what had passed.

The *Solicitor-General* objected to the principle of the Bill, as, in his opinion, it would go to take away the right of tithes to potatoes, where they had not as yet been cultivated.

The question was then put, and leave given to bring in the Bill.

MR. CROMPTON'S PETITION.] Lord *Stanley* moved, that the House do resolve itself into a Committee of Supply; and the Speaker having left the chair, his lordship said the case he had to lay before the Committee was one that was attended with several circumstances of a particular nature and of peculiar hardship. In the manufactories of cotton goods, carried on at Manchester, great advantages had for many years past been derived from machinery; the first article of this kind which had been produced was called a jenny, and had prevailed for a considerable length of time. On this a very great improvement had been made by sir Richard Arkwright, who thereby acquired an immense fortune, and the public, through the extension of our manufactures, most extraordinary and extensive benefits. After this improvement had continued for several years. Mr. Crompton, whose case he now brought forward, had invented an article of machinery, further improving on that of sir Richard Arkwright, which Mr. Crompton denominated a Mule, from the use of which, advantages almost incalculable had been already, and were likely to be derived in future. It happened, however, as was unfortunately too often the case with superior genius, that Mr. Crompton was in that class of the community, a common manufacturer, and having nothing to depend on for his subsistence but his daily labour, he had not the pecuniary means of securing it to himself by a patent—the only regular and legitimate security applied to on similar occasions—and was not able to bring into action those alterations and improvements with which his mind was so deeply impressed. Having, however, communicated to many respectable manufacturers those ideas on the subject, which he could safely divulge, without imparting his secret, he was recommended to try the experiment of a subscription, and from various promises of assistance and support in that way, which had ultimately turned out almost nugatory, he had been induced to lay open his secret, and the public had for many years derived from it the greatest advantages. He had thus been compelled to petition parliament,* and the late Mr. Perceval, from what he saw of the case, sanctioned its going to a committee above stairs, who, after hearing a great deal of most respectable evidence, reported, that the petitioner was entitled to remuneration by parliament. The committee had not named any sum, but had commissioned him, as their chairman, to bring the matter forward; and he would conclude by moving, That a sum, not exceeding 5,000*l.* be granted to Mr. Crompton, as a remuneration for his invention.

Mr. *Blackburne* seconded the motion.

The *Chancellor of the Exchequer* expressed himself satisfied that Mr. Crompton deserved this remuneration.

Mr. *D. Giddy* could not avoid saying this was one of the transcendant cases that were taken out of the general mass applying to parliament for aid, and he hoped the remuneration would be granted without fee or deduction.

---

* For the Petition see Vol. 21, p. 1173.

The resolution was then agreed to.

HOUSE OF COMMONS.

Thursday, June 25.

Impressment of American Seamen.] Mr. *Robinson* rose to make some observations on a statement which had been made by an hon. baronet (sir F. Burdett) on a former night, respecting a person named Williams, who, in a letter to that hon. baronet, represented himself to have been an American sailor, and to have been pressed and sent on board the Enterprize. He did think the hon. baronet had been satisfied with the mere mention of the fact, relying as he supposed he would, upon the Admiralty making the necessary enquiries into the case. The hon. baronet however, having incidentally alluded to it on a subsequent night, he felt it necessary to make some statement on the subject to the House, and actually came down to the House for several days for that purpose, but had not the good fortune to find the hon. baronet in his place; and although the hon. baronet was not now in the House, he could no longer delay the explanation which he thought it incumbent on him to make. On enquiry he found that, in truth, there had been a seaman impressed of the name of John Williams, and that this person had applied for his release upon the ground of his being an American. In consequence of this application, the Admiralty gave instructions that necessary enquiries should be made into the fact alleged; and on examining the man he declared himself to be an American, and said he had been discharged from on board his Majesty's ship the Namur on that account. It so happened, however, that one of the gang recognised him to have been a deserter from the Namur, and he himself admitted that he had deserted from that ship two months before. Finding, therefore, from this discovery, that there was no ground for his discharge, he was not permitted to quit the service. This fact shewed the necessity of caution on the part of the Admiralty, before they hastily listened to such claims. There was nothing for which the Admiralty were so little desirous as impressing American seamen, or for retaining them, when they were impressed, from the trouble which naturally arose from their claims for discharge. The usual course was, therefore, that when an American seaman was pressed, he immediately applied to the consul of that country, who applied for his release, and if on investigation, the application was found to be just, an immediate discharge took place. He hoped this explanation would be satisfactory, as well to the hon. baronet, when he heard it, as to the House.

Mr. *Croker* bore his testimony to the correctness of the statement of his hon. friend.

Conduct and Management of Lincoln Gaol.] Sir *Samuel Romilly* (the Petition of Thomas Houlden having been read, see p. 310) proceeded to call the attention of the House to a case, as it appeared to him, of the last importance to the rights and privileges of every British subject. Although he had been anxious to press this Petition upon the immediate attention of the House, it had not been originally his intention to do more than move for a committee to enquire into the truth of the allegations contained in the Petition, and as that Petition was, at best, but an *exparte* statement, to give the individuals complained of a fair opportunity to meet that complaint with their *exparte* statement in return. This he had done not only from an anxious wish that impartial justice should be done to both sides, but because he had perceived that the friends of the opposite party were not then ready to reply to the charges that were preferred, and which he wished to give them every opportunity of answering in the fullest and most satisfactory manner possible.—He stated this to the House as his apology for having deferred from time to time, for so long a period, a case of such great moment—a delay, however, to which he would not, even under such circumstances, have submitted, had the complainant still continued in confinement. Mr. Houlden, however, was now no longer a prisoner, and the motion he should submit would be for a select committee to enquire into what had been, and now was the mode of treating all persons confined in Lincoln castle, and what was the state of that gaol at present. He believed he need scarcely assure the House of his sincere wish at all times to resist, and put down every tendency to a spirit of insubordination against those persons entrusted with the immediate custody of prisoners, or any feeling hostile to that respect, and reverence due to the magistracy of the country. But in proportion to the wish he had to support the due weight and authority of the magistracy, in the same proportion must he be anxious to stigmatize all corruption, connivance, or negligence that tended to degrade it.—It would be for the committee to judge how far the magistrates referred to in the Petition were guilty of all or any of these offences—there certainly was no description of persons imprisoned who had a stronger claim on the compassionate attention of that House, than persons confined for debt.—When they saw, year after year, the legislature interposing between the rigour of the law and the unfortunate debtor; when they saw that legislature resorting to the most violent measures to cancel and annul the penalties of solemn obligations for the very purpose of rescuing the debtor from the severe pressure of those laws; when they witnessed all this, they could not but feel that the case of a poor debtor, complaining of grievous hardships and oppressions, in aggravation of his punishment of imprisonment, had strong and peculiar claims upon their attention.—It might be objected that the same laws that deprived the debtor of his liberty, afforded him protection in confinement: it was true, no doubt, that the prisoner might have his action; but it was not equally certain that he had the means of carrying on the expences of a suit, or that if he had not those means, he would be willing to sue for redress in the humiliating character of a pauper.—Having made these general observations, he should now proceed to state, very briefly, the circumstances of this particular case. It appeared that the petitioner, Thomas Houlden, was brought before a magistrate (whose name, though he had omitted to mention it on a former occasion, he would now state, as there was no doubt some friend present who would be able to defend him), Doctor Caley Illingworth, who on a complaint preferred by the gaoler, ordered the petitioner to be removed from the apartment in the prison which he had hitherto occupied, and to be confined, though but a prisoner for debt, in one of the cells appropriated to common felons; and it further appeared, that the petitioner was left to remain closely confined in this cell for eleven days and nights successively; and it also appeared, that during that period he was denied the use of pen, ink, and paper, and that no friend whatever was permitted to have access to him. What the mighty offence was that had called down upon him the indignant severity of this Doctor Caley Illingworth should hereafter be explained, and it should be also satisfactorily proved that this confinement in a cell for eleven days and nights, would not have even then been put a stop to, had it not been for the unexpected intervention of a certain circumstance which could also be very intelligibly explained. But he could not help asking what was the authority under which the magistrate meant to shelter such an act of oppression?—He knew of none, the common law, he was confident, gave none; but it had been contended for, he understood, and that even by lawyers, that all this authority was derivable to the magistrate under the operation of the 31st of the King. He had read the act attentively, and had found in it no such authority. It did give certain powers in the controul of houses of correction to the magistracy, but such prisons as the Castle of Lincoln, county gaols, were, he contended, the prisons of the sheriffs, and not of the magistracy. If this power had been given by that act, it would have been given in plain and direct words, and if the power had not been given, it was in vain to talk to that House of what this or that lawyer thought of the construction that might be put on the act, when it was evident to any man who read it, that no such construction was within the meaning of the legislature, at the time it was enacted. But even had the power existed, it ought to have been exercised, like all other power, with discretion; and not capriciously, and as in this case with a wish to find the person guilty. The offence of the petitioner was simply this: He had refused to be supplied with a bed by the gaoler, and wished one of his own to be brought into the prison. This was no indulgence. He had a right to this accommodation by virtue of the 32d of Geo. 2, chapter 28, section 4, a provision obviously made with the view of protecting the prisoner from the rapacity and extortion of the gaoler, who might otherwise insist upon his own price for an accommodation so indispensable. The petitioner, however, was threatened with being turned over into the pauper's ward, in case he brought in his own bed. He was then thrown into a room containing seven beds and thirteen prisoners. It was in summer, the weather uncommonly hot, and the room very close. To this room were two doors—an inner and an outer grated door. One night, after the petitioner had been sent to this room, the inner door was closed as well as the outer, and thus the usual opening between the room and the outer door was closed. It was not improbable that the petitioner (though it was not so stated) might have expressed, in strong language, his indignant sense of such an act of oppression directed against himself, because he did not succumb to the extortion of the gaoler. Be that as it might, he and the remaining thirteen were, innocent as well as guilty, shut up in this room—the usual circulation of air denied them, all on account of the supposed contumely of one, and in consequence of what then passed between the petitioner and the gaoler, the former was brought before Dr. Caley Illingworth, who could not find sufficient in the statement of the gaoler to justify the exercise of power he wished to resort to, and expressed his concern to the prisoner that he could not punish him. This regret, however, could not have been of long duration, for he was again brought before this Dr. Caley Illingworth, and was sentenced, in two days after, to close confinement in a felon's cell. Here he remained eleven days and nights, and might have remained indefinitely long, had it not been for the arrival of the intelligence of a conversation which had taken place in that House, on the subject of Mr. Finnerty's Petition, complaining of abuses in that prison, on the part of the same gaoler. On the arrival of this news, the petitioner was immediately discharged from his cell. And here he could not help congratulating the House upon this instance, among numberless others, of the great benefits resulting from public discussion. He had often voted in minorities of even six and sixteen, where the discussion upon the question on which they were out-voted had, by becoming public, led to a correction of the abuses to which it related. He thought that these circumstances did lay grounds for suspecting both extremely corrupt motives in the gaoler, and most criminal connivance in the magistrate.—(Hear !)—The hon. gentleman who cheered him would have every opportunity, and no doubt come prepared to vindicate both gaoler and magistrate ; but he could not forget what had been stated in Mr. Finnerty's Petition, and never contradicted, that one of the magistrates, in the presence too of another magistrate, told Mr. Finnerty that he had heard that in other prisons prisoners by paying for them could get better apartments than others ; and that if he gave three guineas a week he might get better ; and that on Mr. Finnerty remonstrating that he had not the means to pay so high a rent, the other magistrate observed, that he understood a subscription was going forward which might enable him to do so.—He could not forget that the member for Lincolnshire, who came down prepared to answer every other allegation, was obliged to suffer that to remain wholly uncontradicted.—He had heard of a meeting of the magistrates on the first of May, who portioned out the nine sleeping rooms for debtors in the following manner :—seven to those who could pay for their beds, and the remaining two to all the rest that could not pay. By an order of those magistrates, places and cells had been appropriated in Lincoln gaol for refractory and disorderly debtors. He knew not the authority under which they made such an order, and he spoke as a lawyer. He understood also, that the gaoler of Lincoln castle had a fixed salary of 300*l.* a year, independent of all other emoluments. An hon. and learned friend of his had recently mentioned in the House a case of a debtor in the agonies of death, who died in the night time before any one dared to disturb the repose of the gaoler, although he would not say that the debtor might not have died, whether a medical man had been timely called in or not. He had heard other facts even more disgraceful, which he would not trust himself with stating, although accounts of them had been published in the newspapers and had not been contradicted, at least through the same channel. It had been lately said, that the gaol was in an insurrection—if so, it was an insurrection of complaint. But the prisoners had addressed their complaints in the humblest and the most respectful language. Such gaols and prisoners were, he contended, the sheriff's, whose duty was not merely one of parade to ride on a caparisoned horse into the assize town before the judge, with white staffs and trumpets sounding, but to consult the ease and comforts of his prisoners, for his they were, as far as that comfort was consistent with their confinement. Fortunately those new lights had not broken out when the great Howard was induced even to violate the law (he being a dissenter) and to take upon himself the office of sheriff, to enable him to perform those acts of charitable and beneficial reform which he could not otherwise have effected. He should conclude with moving, "That a Select Committee be appointed to enquire into, and report to the House, what has been, and now is, the condition and treatment of prisoners confined in Lincoln Castle, and the conduct and management of the said prison; and to report the same, with their observations thereupon, to the House."

Mr. *Brougham* seconded the motion.

Mr. *Chaplin* expressed his sincere satisfaction, that an opportunity would be afforded of vindicating the conduct of those respectable magistrates, whose motives and proceedings had been so ungenerously misinterpreted. As the committee would be the proper place to meet all the charges which had been made, he would not now go at any length into the investigation of the contents of the Petition, but satisfy himself with expressing his perfect confidence that he should be able to rebut every assertion which had been made, and to prove that the character of the petitioner was not such as to entitle him to implicit belief. Indeed he was persuaded that the Petition would never have been sent to the House but at the earnest solicitation of a certain third person whom he would not name.

Lord *Castlereagh* wished to observe, that as there would be no objection to the proposed enquiry, it might be better to abstain from entering into farther details, as the House would be much better prepared for the discussion when all the facts were collected by a committee of enquiry. At the same time, perhaps, it would have been more convenient to institute a general enquiry into the state of the prisons throughout the kingdom, as in that case some legislative measure might be adopted which would be applicable to all for the prevention of abuses. The House ought certainly to be open to the Petitions of the people, but he thought they must feel, that it was wrong, generally speaking, to encourage immediate applications to parliament, passing by the intermediate authorities, whose business it was to hear and rectify complaints of abuse. Were this practice encouraged in its utmost latitude, it would only overwhelm parliament with minute details, and degrade its most important functions. It would have been better in the present case had the petitioner sought his remedy in the ordinary course of law: but it appeared on the face of the Petition that the petitioner had not availed himself of the natural protection of legal authority. He understood, however, that the magistrates of the county of Lincoln were anxious for enquiry; and it would be expedient therefore to accede to it, without entering farther into the discussion at present.

Mr. *Ellison* had heard it observed, that magistrates were not to be permitted to abuse their authority. Now he had served as sheriff of his county, and had been an acting magistrate for the last 25 years, and had never observed any such tendency. He had diligently enquired into the complaints made in the House last year, with regard to this gaol, and he must say that the *ex parte* statements, which then went out to the public, had tended only to inflame the minds of the people, particularly at a period of partial disturbance. He deprecated, as peculiarly mischievous, the representing magistrates as not only oppressors themselves, but connivers at the abuses and extortions of others. He would ask whether such language was calculated to lay the evil spirit that was now walking abroad through the country? He did not mean to say, that motions of this sort might not sometimes do good; there was a wise discretion to be followed, and a rash precipitancy to be avoided. But he did mean to say, that statements of the kind now given were productive of infinite mischief. With respect to the case mentioned on a former night by an hon. and learned gentleman, that of Godfrey, the debtor, what were the circumstances of that case as given on the inquest by Mr. Evans, the surgeon? Mr. Evans stated, that Godfrey had been a hard liver, that he was afflicted with gall-stones in the bladder, which ended in mortification; and that the night before his death, he, Mr. Evans, declared that he could not live many hours. The man could not be saved, and every attention was paid to him. He was ordered spirits because he was accustomed to them, and at the time of his death there were some of them still left in his room. The surgeon saw him the night before, and also at five o'clock next morning. Mr. Evans complained much in his statement of the conduct of Mr. Finnerty. He said, that when he came to give evidence before the coroner, that person offered to strike him, besides abusing the coroner himself. He was sure the hon. and learned gentleman had stated nothing that he did not believe; but it so happened that there was not one allegation made by the hon. and learned gentlemen, which was not disproved by the fact. As to the petitioner Houlden, he had quarrelled with a fellow prisoner of the name of Morris, whom he annoyed so much as to give him no rest night or day. This was the reason for his solitary confinement; it was ordered by a respectable magistrate who was incapable of conniving at or abetting extortion. He (Mr. E.) rejoiced that a committee was to be appointed. In behalf of himself and his brother magistrates, he would lay in a claim for as much philanthropy, as much humanity, as the hon. and learned gentleman could possess. Let not him monopolize all those virtues to himself. He was glad that there would be an opportunity of vindicating the humanity of the magistrates of Lincoln in that House; and till they were proved to have acted unjustifiably, they ought not to be stigmatised.

Lord *Castlereagh* again interposed, and expressed his anxiety that the discussion should go no further, as an enquiry had already been agreed upon.

Mr. *Brougham* wished to say a few words, as he had been so pointedly alluded to by the hon. member who had just sat down, merely with the view of explaining a few particulars, and not for the purpose of prolonging the debate. He would confine himself to the particular case which he had formerly stated. Before doing so, however, he could not avoid declaring, that he perfectly agreed with every thing which had been said by his hon. and learned friend (sir Samuel Romilly). He thought with him that the House could not be better employed than in protecting the most defenceless and the most unfortunate class of their fellow subjects; those who were suffering under imprisonment, including not only criminals but a numerous body of debtors. He trusted that instead of occasioning any mischief, they were setting an example which in the end would be productive of the greatest practical good. But without entering further into this subject, and deferring the details which would more properly come before the committee, he would now allude to the case formerly alluded to by him—of Godfrey the debtor. What he had said had been misrepresented, in so far as respected the professional man, Mr. Evans. He had never said that unfortunate man died through Mr. Evans's want of skill. He had never said also, what was charged upon him as unfair towards the gaoler, that had a surgeon been sent for a quarter of an hour earlier, the man's life would have been saved. What he had said was, that an improper delay occurred in procuring medical assistance, and that the presumption was, had no such delay taken place, the result might have been more favourable; and that the proof of the contrary was thrown on the other party. When Mr. Evans was before the coroner, he stated that his being called an hour sooner or later would have made no difference;—but, before Mr. Evans gave this evidence, how stood the fact? He now held in his hands a document signed by twelve respectable persons, prisoners for debt in the gaol of Lincoln, of whom no doubt Mr. Finnerty was one. And here he would observe, that all that Mr. Finnerty had stated respecting a nuisance in the gaol was proved in the event to be completely accurate, notwithstanding the assertions to the contrary, made with so much solemnity by the honourable members for Lincoln. It so happened, that when they examined the sewer a great part of it was found not to be in a perpendicular direction, as had been stated, but to run in a shelving manner under that part of the prison where Mr. Finnerty was confined. Now, though he found Mr. Finnerty's name, therefore, among this number, he was inclined to attach some credit to the document. There were among them several other very respectable persons, and he would particularly mention Mr. Drakard, of whom all that he knew reflected the greatest honour on his character. He would say of him, that he was not a seditious author, but an honest and respectable tradesman, who was punished for an article which he did not write. Another gentleman of whom he had heard very favourably was a Mr. Morris. It appeared from this document, that in a previous conversation with Mr. Evans, he gave a perfectly different account from that which he afterwards gave before the coroner. It appeared, also, that the coroner behaved throughout in a manner which was completely reprehensible, and treated the evidence in particular in a very unbecoming way. The sort of persons whom he insisted on putting on the inquest were the workmen whom he employed about the prison. When one reflected on his conduct throughout this business it was impossible not to be struck with the propriety of the observations made by judge Blackstone on the great powers vested by the constitution in this officer, and the very low hands into which the office generally came. In directing the jurors to bring in their verdict, the coroner stated that they must either find the prisoner died by the visitation of God, or find a verdict of wilful murder by the gaoler. He would admit of no verdict which should state the case as it really took place. This statement he was now making was confirmed by three of the jurors themselves, who, in a certificate signed by them, which he held in his hands, expressly stated they wished to bring in a verdict of "died by negligence of the gaoler;" but on its being put to them by the coroner that they must either bring in a verdict of wilful murder, or by the visitation of God, they were obliged to relinquish their wish. He had several other documents, but it was unnecessary at present to enter upon them. He would say this much, that he knew not one of the assertions which had been made respecting the gaoler or Dr. Illingworth, but would be found as had been represented.

Mr. *Ellison,* in reply to the last observation, begged to read a part of the coroner's charge, in which he expressly stated, that the jury had to enquire whether the prisoner died through the neglect or ill-treatment of the gaoler, or by a natural death.

Sir *F. Burdett* said, he did not wish to take up the time of the House, now that a committee was agreed to be appointed. He rose principally with a view of making one or two observations on the state of the gaols in this kingdom. He had received several letters and communications on this subject; and he thought that it was highly requisite that an enquiry should be made, as had been proposed by the noble lord, into the state of the gaols throughout the United Kingdom. He trusted, however, that the enquiry would not be like that which had been made into the state of Cold Bath-fields' prison, which was an enquiry for the purpose of suppressing and not for discovering the truth. On that occasion no power was given to investigate into any of the facts alleged by him. He trusted that the present enquiry would serve to bring out the truth. He had come down to the House with the intention of making a variety of observations tending to criminate the magistrates much more than the gaoler; but these observations would come with more propriety before the committee. His object in instituting an enquiry into the state of Cold Bath-fields' prison, was to mark the outset of a new species of imprisonment in this country; namely, solitary imprisonment. Early in the next session he would call the attention of parliament to this subject. It was a mode of imprisoning set on foot under the authority of Mr. Howard, a name entitled to the highest veneration; but this notwithstanding he would say, that a more mistaken notion of imprisonment, one which was more unfortunate to prisoners, which was more exposed to abuse, it was impossible for the best of men to devise, and he hoped that they would come back to our old constitutional mode of imprisonment. There was no safety to prisoners but in the free admission of their friends to them. It was impossible to devise any other means by which they could be secured from oppression. The most excruciating tortures might be inflicted on a prisoner, he might be harrassed in the most vexatious manner, and yet it might not be in his power to procure any redress, or to state his case, from the circumstances of the very nature of his imprisonment precluding him from having any evidence of the facts. With respect to the gaol of Lincoln, it appeared that a poor man died without medical assistance, when it appeared from the evidence he was known to be in a most perilous situation. He was left in that situation where it was impossible that any medical relief could be afforded him; and that very fact alone shewed a want of feeling and consideration for the case of the unfortunate man in the highest degree blamable. He had in his possession a paper signed by more than a hundred persons, many of whom were most respectable; but it was now useless to trouble the House on that subject. It was alleged by these persons, that the coroner was in the practice of borrowing large sums of money from the gaoler, and was consequently under his influence; that that practice of borrowing money from him even ascended to the magistrates; and that the gaoler had amassed great wealth in his situation, which was worth only 300*l.* a year. The sum amassed by him, it was said, was as much as 20,000*l.* What the magistrates chose to call an enquiry, was completely futile. They used to ask up the gaoler, put a few questions to him, which the gaoler knew very well how to answer, and this they called an enquiry; but this was the way to stifle effectually all sort of complaint, because the prisoner was aware how all would terminate, and moreover that the complaint would be followed with the resentment of the gaoler. It was certainly singular enough that nothing but solitary confinement was taken from the plans of Mr. Howard; and that every thing else in our prisons was directly the reverse of what he had recommended. In this case it appeared that nearly all the gaol was taken up by the gaoler himself, who had converted the court into a garden, who kept cows in one part of the prison, and had converted a considerable space into a warm bath. Now all these things had been expressly pointed out by Mr. Howard as injurious to prisoners, who were thus deprived of air and exercise. Another thing pointed out by Mr. Howard was the use of irons in solitary confinement, which could be of no use in cells but for the purpose of torturing. No one could tell the amount of the torture that must be inflicted by the constant pressure day and night, of irons attached to an unfortunate prisoner. Solitary confinement was for the purpose of preventing the prisoner from being exposed to sources of immorality, and not for any purpose of torture. The object which Mr. Howard had in view, in recommending solitary confinement, was the reform of the prisoner, and to remove him from corrupt communications and improper indulgencies; but the punishment became enormous indeed, when it was enforced not for a month, but for years; and instead of salutary correction was calculated to produce despair or madness. It was greatly to be lamented that this species of coercion should be left so much at the discretion of that class of persons who were generally employed in the management of gaols.

Mr. *Shaw Lefevre* vindicated the conduct of the commissioners appointed to enquire into the state of Cold-Bath-fields' prison. Their report had now lain three years on the table of the House, and the hon. baronet had never thought proper to notice it. That report so completely negatived the assertions in the petition which gave rise to the enquiry, that no doubt could be entertained of their falshood. He agreed, however, with the hon. baronet in what he had said on the subject of solitary confinement. As a magistrate in his county, he had always found it his duty to direct the surgeon to visit regularly the prisoners under solitary confinement, to see whether it had a pernicious effect on their health, or their mental powers, which it sometimes had. He was an enemy to its being continued for any length of time. On the question now before the House, he thought the best way would be, to send down commissioners, and examine the witnesses on the spot.

Sir *F. Burdett* explained. He had not complained of the commissioners appointed to examine Cold-Bath-fields' prison, but rather of the inherent defect of their commission, which prevented them from engaging in any retrospective enquiry. Was it not proved that Aris, previous to that business, had beat his prisoners, borrowed money of them, or extorted it as a consideration for indulgencies? The commissioners, unfortunately, had no power to enter into these transactions, which, however, were not the less ascertained.

Mr. *Wilberforce* vindicated the utility of solitary confinement, and mentioned instances where individuals had been so sensibly impressed with the beneficial consequences they had reaped from it, that they thanked the magistrates after their liberation, for the opportunity which had been thus presented to them, of meditating on their offences and reforming.

Sir *Samuel Romilly* rose in reply, and observed, that an hon. member had made observations, which clearly insinuated that he (sir S. Romilly) vaunted of his humanity, but he appealed to those who had watched his conduct in that House or out of it, or upon any occasion, whether he had ever been guilty of that meanness, to boast of his own humanity? The hon. member had drawn a picture intended for a representation of him, (sir Samuel,) but it was a most disgusting one, and he hoped it was unlike, for he would say that those men who talked most about their own humanity and consciences, were commonly men possessing least of either. The fact was, however, that the hon. gentleman came down to the House with a speech prepared in his pocket, and taking it for granted that he (sir Samuel Romilly) would say something about his humanity, he had introduced those expressions which the House had heard, and rather than lose them, had suffered them to remain without any propriety of application. It had been supposed also by an hon. member, that he was a mischievous person, one who wanted to unsettle the state of the country. Now, what had he done? He had presented a Petition to that House, which, had it been put into the hands of any members of it, would have been equally presented;—at least he would say, that any member who would not have presented it, was unworthy to represent the Commons of Great Britain.—He would tell the hon. member, however, who it was that was most likely to prove mischievous on an occasion like the present; it was those friends of the persons whose conduct was arraigned, who pretended to stand up in their defence, and yet could say nothing even in extenuation, but who confined themselves to ascribing undue motives to members of parliament who felt it their duty to call the attention of the House to such subjects. He was justified in concluding that nothing could be urged in defence, because nothing had been urged, notwithstanding there was a meeting held at Lincoln, on Monday last upon this occasion, and when if any thing could have been advanced, it certainly would not have been held back. All that had been mentioned by the hon. gentleman opposite, was, that the petitioner was liberated after eleven days and eleven nights confinement, upon writing a letter of contrition to the gaoler, so that it might be inferred, if such letter of contrition had not been written, his confinement would have lasted for eleven weeks, or eleven months perhaps. Good God! was that a defence?—It was said that Houlden was put into solitary confinement, on account of a quarrel which he had with a fellow prisoner. But because prisoners quarrelled, was there no other way to keep them separate in a large gaol, but by shutting them up in cells, and denying them the use of paper and the sight of their friends? Surely such statements as this were calculated, if any thing was so, to excite and inflame the public mind. A noble lord, also, whom he did not then see in his place, (lord Castlereagh) expressed his surprise that the petitioner did not apply to the visiting magistrate for redress; but if the noble lord had read the Petition attentively, he would have found that the visiting magistrate was the very person of whom complaint was made. How then could the petitioner appeal to him? With respect to appointing a commission, he could not concur in that; for he thought that when great public abuses, like the present, were under the cognizance of the House, they ought not to delegate their authority. He concurred entirely, however, with the hon. baronet upon the question of solitary confinement, and so much did he think it carried to undue excess by the magistrates at quarter sessions, that he should, at some future period, move for a return of all persons sentenced to solitary confinement, at the quarter sessions. He had known instances where persons had been sentenced by the magistrates to two years solitary confinement—a sentence much more severe than would have been passed at the assizes. He did not mean to cast any imputation on the magistracy, of whom, as a body, he thought most highly and honourably; but there were some circumstances connected with their decisions, that seemed to render enquiry necessary.

Lord *Castlereagh* explained. He was quite convinced that the hon. and learned gentleman could not have read his own Petition, so completely did he mistake the matter.

Sir *S. Romilly* said, that he was supposed not to have read the Petition; but he thought that he might say with more justice, that the noble lord had not taken the trouble to look through the statement of facts which it contained.

The *Solicitor General* defended the magistrates from the attack of his hon. and learned friend. Their conduct in general gave satisfaction to the whole country; and he was certainly astonished, that in times like these, his hon. and learned friend, whose character gave his opinions great weight in the country, could have brought himself to throw out those insinuations which he could pledge himself were totally unfounded. As to the particular motion, he was very sorry that he was not in the House to hear the debate. He certainly came down to attend it, but after what had occurred, he should not oppose the committee, though he could not help thinking, that those on the spot, the magistrates, were more competent to investigate the business than a committee of the House of Commons. The magistrates had, with respect to county gaols, a superintending power over the sheriffs. (No, from sir S. Romilly.) He respected his hon. and learned friend's authority, and therefore should not insist on his statement; but at any rate, in his opinion, the magistrates ought to be supported.

Sir *S. Romilly* said, that he was astonished at the injustice with which he was treated by the hon. gentleman, while at the same time that learned gentleman did him the honour to call him friend. He denied that he had endeavoured to throw any discredit on the magistrates. He had done them general justice, not perhaps in as courtly, but certainly in as honest terms as the learned gentleman.

Mr. *Westerne* spoke in favour of the committee. He thought his hon. and learned friend treated most unfairly.

Mr. *H. Sumner* felt the same impression from the speech of the hon. and learned member as those on his side of the House. He thought that the magistrates were calumniated; and he had heard no explanation which did away that feeling.

Mr. *Martin*, of Galway, vindicated the hon. and learned gent. (Sir S. Romilly) from the imputation of having intended to convey any disrespectful opinion of the magistracy of the county.

Sir *C. Mordaunt* spoke for the committee; and the question was then put and carried.

The following gentlemen were among the names of the committee; sir Samuel Romilly, Mr. Brougham, Mr. J. Smith, lord Folkestone, sir Francis Burdett, Mr. Davies Giddy, Mr. Wilberforce, Mr. Wellesley Pole, Mr. Ellison, Mr. Bankes.

Mr. *Brougham* proposed, that the name of the Solicitor General should be added to the committee, lest the gentlemen on the other side should afterwards find it convenient to adopt the late practice; and when they dreaded a particular report, endeavour to add five or six other names to it.

Sir *S. Romilly* opposed the addition of the Solicitor-General's name. The committee, as it stood, was made up of both the parties in the House, and there was even a majority of those gentlemen who generally voted on the other side.

The *Solicitor General* begged to be excused from the appointment, as it was very unlikely that he should be able to attend the committee.

Mr. *Brougham* then withdrew his motion.

Lord *Castlereagh* then proposed that the name of Mr. Wellesley Pole should be withdrawn, and that of Mr. Lygon substituted in its stead, because there was too small a proportion of county members. To this sir Samuel Romilly objected, observing, that there was no member in the House better qualified to sit upon such a committee than the right hon. gent., from the extent and accuracy of his knowledge with respect to prisons.

The House divided on the question of substituting Mr. Lygon's name, Ayes 36; Noes 27; Majority 9.

The House then continued debating an hour with closed doors, on the motion for adding the names of Mr. W. Bootle, Mr. Holme Sumner, and Mr. Hobhouse, which was at length carried without a division.

LOANS RAISED BY THE EAST INDIA COMPANY.] Mr. *Howorth* rose and said:—Sir; I have been induced to bring forward the motion which I shall now submit to the House, upon a consideration of the report of the committee to which the Petition of the East India Company for a loan of two millions and a half has been referred; this report confirms the allegations of the petitioners, that large sums of money have been raised in the East Indies by the credit of the East India Company, that a part of the sums so raised has been discharged, and that by the terms of the obligations for other parts of such India debt, further sums to a large amount will be shortly payable in this country, and that bills of exchange to the amount of two millions and a half, which were drawn in the East Indies in discharge of this India debt, will become due and payable here on or before the 1st of January next. Now, Sir, it is no where stated, neither in the petition, nor in the report of the committee, what may become due, what further demands may be made on the home treasury subsequent to that period: it is to supply this defect that I bring forward the present motion. The embarrassments under which the East India Company are now applying for relief to parliament, have arisen from claims made upon their treasury here by creditors in India, holding securities which gave them the option of being repaid in England, under what were termed optional loans. The short history of these loans is this: previous to 1798, the Indian debt of the East India Company was purely local, the money raised in India was to be repaid in India, and the lender had no power vested in him to demand repayment in England. Until that period, the money raised by the governments in India was an Indian concern, and simply an India debt; but the great difficulties the governments in India experienced about this time, in raising the extraordinary supplies to maintain the expensive military establishments, to carry on the extensive wars in which they then engaged, compelled them to have recourse to every expedient they could devise to allure and entice subscribers to their loans. They adopted the plan of borrowing money for 10 years (decennial loans) and what made these loans peculiarly eligible, was the condition which gave the creditor the option of being repaid his principal and interest in England if he chose to demand it; by this condition the creditor not only got the highest rate of interest, but at the same time effected a remittance to England, and all the loans from 1798 to the present time have been raised with this condition. Since the discussion of this subject in the Committee of Supply, I have had occasion to refer to authentic documents, and I find that the whole India debt on the 1st of May, 1809, amounted to 30,876,788*l.* Of this debt there was demandable in England 18,533,358*l.* Of this there has been either commuted in India, or paid off in England 5,261,000*l.*, leaving still outstanding demandable in England 13,239,358*l.* I am aware that a great part of this balance has been since liquidated or transferred, but as the public are to be called upon to assist the East India Company in the payment of the balance, it is right that there should be a correct and precise statement of the account; I say, Sir, that public money will be wanted to meet these demands, because I find in a letter from the directors of the East India Company to the Select Committee, dated 8th of April, 1810, this statement, "That the commissioners for the affairs of India, and his majesty's government, have been for several years quite aware that if any considerable sum of India debt should, in consequence of the optional clause be transferred to England, the Company would necessarily require the public aid for the liquidation of it." Under these circumstances it appears absurd to term this an Indian debt, and it is a little extraordinary that with this knowledge of the embarrassments which were approaching, those to whom the controul of the affairs of India have been entrusted, neglected to provide for the result. I shall, however, confine myself to the object which I have more immediately in view, which is to require a clear and explicit statement of what portion of the 18 millions and a half of India debt demandable in England has been already paid off, what portion has been commuted for other securities which have not this optional clause, and what remains outstanding which may by possibility yet be brought to the home treasury for payment; convinced as I am, that by giving his Majesty's ministers this opportunity of stating fully and unreservedly the real and true state of this description of Indian debt, the only one that can affect the home treasury and require public aid, I give them the best title they can have to the attention of parliament. I shall therefore move, "That there be laid before this House, an Account of the amount of all the loans raised by the East India Company at their several presidencies in India, on conditions vesting in the lender a right to demand bills on England for repayment, from the 1st of May 1798, to the 14th of May, 1808, distinguishing, what part of this debt has been already paid off, what part has been commuted for, or transferred to, other securities; lastly, what part of this debt still remains outstanding, demandable in England."

Mr. *Wallace* made a few observations, the purport of which was, that general measures for the financial arrangement of the affairs of the Company were in progress, which made it unnecessary for him to go into particulars; at the same time he should make no objection to the motion. It was consequently agreed to.

MR. PALMER'S CLAIMS.] Mr. Lushington brought up the report of the Committee of Supply. On the Resolution, "That a sum not exceeding 78,344*l.* 12*s.* 9*d.* be granted to his Majesty, to be paid to John Palmer, esq. being the balance of the per centage due to him on the net revenue of the post office, from the 5th day of April, 1793, to the 5th day of January, 1812,"

Mr. *Bankes* objected to it on the ground of extravagance, in granting so large a sum of the public money to an individual for services which, in his opinion, had already been sufficiently rewarded. He said that since the year 1793, Mr. Palmer had received, as a compensation for his services, not less than 80,000*l.* nearly 60,000*l.* of which had been paid to him as a pensioner of the public, after he had ceased to perform any duty whatever. The eminent services of lords Nelson and Wellington had not been so well rewarded; and the sum now proposed was, in his mind, so exorbitant, that no one could advocate it who had any regard to the interest of the public. It was not founded on the claim of justice, but on circumstances which he was sorry to see brought forward at the present moment. He was somewhat surprised that his right hon.

friend the Chancellor of the Exchequer should have given his sanction to it.

The *Chancellor of the Exchequer* said, he had followed the example of his late right hon. friend and predecessor in office, who had given his sanction to the measure; but reserved to himself the right of opposing the Bill when it should come before the House. This was the mode which it was his intention to pursue.

Mr. *W. Smith* said, he thought such a mode of conduct would be "more honoured in the breach than the observance." With respect to the question itself, his opinion was, that Mr. Palmer had not been correct, but when the impediments thrown in his way, by those whose duty it was to assist him, were fairly considered, he thought he was justly entitled to have his original agreement fulfilled; and he hoped those members who had heretofore voted in favour of his claims, would not suffer themselves to be led astray by the argument of the hon. gentleman. The cases of lords Nelson and Wellington were not at all similar. The annuities granted to those noble lords had the honour of the peerage attached to them, and the services were at an end before the remuneration took place; but the public had received, and continued to receive, immense benefits from Mr. Palmer's services, not only in the celerity, but the security of correspondence, and by an addition to the revenue which was almost beyond credibility. No one could have persuaded the House of Commons to grant such a sum as 78,000*l.* if it had not thought Mr. Palmer had a just claim to it; and as that claim had been sanctioned by repeated large majorities of the House, he should certainly vote for it now.

Sir *F. Burdett* defended the claims of Mr. Palmer, as founded on the contract. He considered that this contract was binding upon the justice of the House, and could not be violated on the part of the public, merely on the ground of some misbehaviour of Mr. Palmer in his office. On the legality of the contract, there was the authority of the written opinions of four most eminent lawyers, Sir James Mansfield, Mr. Erskine, Mr. Adam, and sir Vicary Gibbs. If the claim had failed in a court of law, it was from the technical difficulty of shaping the action, and not from any deficiency in the validity of the contract, if it were between man and man. A valid contract could not with justice be got rid of, even by the misconduct which had been stated. It appeared, however, from the provocations which Mr. Palmer had received, and the machinations in the post office against him, that he was naturally irritated to some misconduct. It was said, that for this misconduct he might have been prosecuted. Why was he then not prosecuted? It could not be said, that he had compromised his claims in order to escape prosecution. Although he conceived it most mischievous to lavish away the public money on persons who had rendered no services to the public, he considered it equally mischievous to set the word economy against the just claims of any individual who had rendered important services.

The *Solicitor General* conceived it a most extraordinary effect of solicitation on the part of the friends of Mr. Palmer, when he saw that those who were usually the most watchful guardians of the public expenditure, now came forward in support of this claim, and did not hesitate to grant so large a sum as 78,000*l.* to this individual, independent of annuities, which might amount to eight or ten thousand pounds a year. Notwithstanding the authority of the four lawyers who had been mentioned, he was clearly of opinion, that the antecedent conversations between Mr. Pitt and Mr. Palmer, terminated in the latter accepting as his reward, a certain office with a salary of 1,500*l.* a year, besides a per centage on the increase of the Post-office duties. From this office and its emoluments, he was afterwards displaced on account of the grossest misconduct, apparent on the face of his own letters. The learned gentleman then read a long letter of Mr. Palmer to his secretary Mr. Bonner, which proved clearly that when he was comptroller of the Post-office, he encouraged frauds with the view of disturbing the whole business of the office, and to perplex his superior, lord Walsingham, who was then post-master general. Such a scandalous violation of his duty in the office, certainly justified his removal from it, and the loss of all the emoluments attached to it. It might, however, be thought somewhat hard, if even for this gross misbehaviour, he should be entirely deprived of any reward for the plan which he had suggested. It must be recollected, however, that he had ever since been receiving the large pension of 3,000*l.* per annum. He contended that it was an office which was Mr. Palmer's reward, and that the per centage was part of the emoluments of that office which he had forfeited by the grossest misconduct, which, however, he was much surprised to hear the hon. baronet speak of as quite natural.

Sir *F. Burdett*, in explanation, denied that he had ever said that Mr. Palmer had not been properly removed from his office. His argument bore entirely upon the per centage to which he conceived him entitled by the contract.

Mr. *Whitbread* said, that however lightly the Solicitor General now spoke of the opinions of four lawyers, he must beg leave to prefer the written opinions of Mansfield, Erskine, Adam, and Gibbs, to the verbal opinion of the hon. and learned gentleman. The letter which the hon. and learned gentleman had read to the House was not at all new to them, although, perhaps, it had never before been read there with so much emphasis. This letter and the others, had been before those lawyers who had given an opinion favourable to the claim. It appeared to him, that Mr. Palmer had been hardly dealt with. The House of Commons had decided two or three times in his favour, but by some trick of the minister, the decision was rendered unavailing. At one time they took it out of the Appropriation act to prevent its being passed; and at another time they advised the Prince Regent not to grant the money on the Address of the House of Commons merely. They suggested great doubts of the propriety of granting money to Mr. Palmer on the Address of the House of Commons, but they had no doubts at all about advising the Prince Regent to grant money to pay the debts of the Prince of Wales. He certainly wished to check useless expenditure; but when there was a claim of justice, it must be satisfied.

Mr. *Long* spoke against the claims of Mr. Palmer on nearly the same grounds as the Solicitor-General.

The House then divided—

Ayes	48
Noes	11
Majority for Mr. Palmer	—37

HOUSE OF LORDS.

Friday, June 26.

Curates' Bill.] The House resolved itself into a committee on the Curates' Bill.

The Earl of *Harrowby* adverted to some misrepresentations which had got abroad, of the object of the Bill, and stated that the Bill never was intended to apply to existing incumbents. In consequence, however, of these misrepresentations, he was anxious, in order to refute them, that the Bill should go forth to the public as proposed by him, and therefore wished that no further amendment should now be made, his intention being to defer the further consideration of the subject till next session. He at the same time postponed the measure with very great reluctance, being convinced of the magnitude of the evil which it was the object of the Bill to remedy, and that to remedy that evil, was essential to the welfare, the security, and he might add, even to the existence of the Church.

The Archbishop of *Canterbury* bore testimony to the object of the noble earl being distinctly explained as to the Bill not being intended to affect existing incumbents, but had some objection to the Bill going forth from the House to the public without those amendments which he thought it required.

The Bishop of *London* also objected, that the Bill going forth in its present state, it might be considered as the Bill of the House, although, in his opinion, it required many amendments.

The Earl of *Harrowby* stated, that it was distinctly his object that the Bill should go forth as the Bill of the proposer.

The *Lord Chancellor* thought there would be nothing inconsistent with the ordinary practice of the House in what was proposed by his noble friend, the Bill being merely considered as the Bill of the proposer.

On the motion of the earl of Harrowby, lord Walsingham left the chair, and the committee was ordered to sit again on Wednesday.

HOUSE OF COMMONS.

Friday, June 26.

Commercial Exchequer Bills.] The House having gone into a committee on the Commercial Exchequer Bill Act,

The *Chancellor of the Exchequer* observed, that at the time when the Exchequer bills were first proposed to be issued last year, great doubts were entertained by many members of the possibility of realizing the payment of them. He was happy however, to be able to state, that half the loan had been already discharged; but as representations had been made to him from various parts of the country, of the advantages that would result from delaying the payment of the other instalments for some time longer, on account of the peculiarly embarrassed state of our manufactures at the present moment, and the inconvenience with which any such payment would be attended to them, he therefore proposed to extend the time of payment for six months longer. One instalment would be due in July next, and another in October. His intention was to substitute for these months, January and April in the ensuing year; and he should therefore move for leave to bring in a Bill to that effect.

Sir *James Graham* spoke in favour of the motion.

Mr. *Whitbread* said he had taken the liberty of stating to the late Mr. Perceval that the greatest distress was felt on account of the payments which had been already made of these bills; and that no further payments would be received. To this Mr. Perceval replied, he did not anticipate any extension of time. But it now appeared, that the distress was so great, that payment was to be prolonged from July to January next. The Chancellor of the Exchequer ought to inform the House what were the numbers of those who applied for this prolongation; whether any of the securities had yet been called upon; and what measures government had taken for realizing payment from either principals or securities. He was not sure if all the Exchequer bills which were long ago issued to West India proprietors were yet paid; but of this the Chancellor of the Exchequer would inform them. He wished also to be informed what prospect there was that the payments would be made good in January next?

The *Chancellor of the Exchequer* observed, that one prospect which afforded very reasonable grounds of expectation, was the opening of the American trade, which would certainly relieve our manufacturers. Government had not thought it necessary to call on the securities.

Mr. *Whitbread* wished to know from the right hon. gentleman whether he meant to say that the issues had been principally made to persons trading to America?

The *Chancellor of the Exchequer* said a considerable number, but not the whole of the persons receiving assistance were of that description.

Leave was given to bring in the Bill.

WELCH JUDGE.] Mr. *Creevey* wished upon this occasion to put a question to an hon. member (Mr. Kenrick), the Master of the Houshold, whom he observed in his place, whether there was any truth in the report that he was extremely desirous of becoming a Welch Judge? He thought that the House ought to come to a resolution that the office of Judge should not be a matter of political favour. If the report were true, it would be decidedly so in the present case; and he only wished to ascertain the fact, to make it the foundation of a future motion.

The *Chancellor of the Exchequer* said, he had never heard a question so irregularly put before.

Mr. *Whitbread* said, it was the very fittest opportunity to put such a question, when the situation of Welch Judge, filled by the late Solicitor General, was now vacated, and the hon. gentleman was named as the person who was to succeed him. If the question had not been asked by another he would have put it himself; and he certainly thought it a most extraordinary circumstance, that it was refused to be answered, when the hon. gentleman said he was to found a motion on it.

The *Chancellor of the Exchequer* said, the fact must be some time or other known if true; but it was irregular to ask any member as to his private intention.

Mr. *Kenrick* said, he had had no notification of any such appointment, otherwise he would not have appeared to-day in his place.

PETITION OF MR. ST. JOHN MASON.] Mr. *Sheridan* presented a Petition from St. John Mason; setting forth,

"That the petitioner has perused a printed document purporting to be "A Copy of a Dispatch from his grace the lord lieutenant of Ireland to the right hon. Mr. Secretary Ryder, respecting the Case of St. John Mason, esq. dated Dublin Castle, 11th of January, 1812," and ordered by this honourable House to be printed the 2d and 13th of June instant; and that the petitioner humbly conceives the same to be an authentic document of this House, it having been given to him by an honourable member thereof, to whom it had been presented by the proper officer; and that, as said Dispatch or Report contains many charges of a false and slanderous description, made by the persons therein mentioned against the petitioner, and which are attempted to be imposed upon the House as true, the said petitioner begs leave most respectfully to approach the House as a petitioner for justice, and in refutation of the same; and that said slanderous allegations, some of which amount to high treason and misprision of treason, are too manifold for the petitioner to enumerate in his present petition, the said petitioner being unwilling to intrude upon the House longer than is absolutely necessary for the furtherance of justice; but that the petitioner most feelingly prays for its indulgence and permission to state as specimens a very few of the slanderous allegations contained in said Report or Dispatch; and that said Report alleges that the petitioner, in promotion of treasonable purposes, had upon certain occasions gone to Cheltenham, Tenby, Dover, and Liverpool; but the petitioner declares, with perfect truth, that he never has been at any one of the towns or places so specified; and that said Report further alleges, that, in pursuance of his said treasonable purposes, the petitioner had gone to the several continental towns or cities of Hamburgh, the Hague, Coblents, and Embden, the falsity and wickedness of which charges are demonstrated by the simple fact that the petitioner never has been upon the continent; and that the petitioner now humbly prays, that an opportunity may be granted him of vindicating his character to the House and to his country, against the said false and wicked charges, and against many others equally base, which are contained in said Report; and the petitioner ventures, with proper humility, to observe, that, in his opinion, such opportunity may, with peculiar consistency and propriety, be allowed to the petitioner by the House, in consequence of the said document having emanated from its proceedings, and having been printed by its order: and the petitioner submits to the House the great hardship and injustice which would necessarily be inflicted upon him, but which, he is firmly convinced, this House is incapable of inflicting, by having charges so heavy, and of which he has now, upon perusal of said Report for the first time, received any notification, recorded upon its Journals, without affording him a fair opportunity of being heard in his defence and vindication; the said humble petitioner further observing to the House, that, although its unsuspecting integrity may not be aware of the deception which is attempted to be practised upon it, yet, in point of fact, that the sanction of its high name has been surreptitiously endeavoured to be made instrumental to the base views and designs of the vile instruments of that government under which he had been so unjustly confined, and so barbarously treated; and that the petitioner, therefore, with becoming respect, most humbly and feelingly prays, that the said Report or Dispatch be referred to a select committee of the House, and that the petitioner be fully heard before said honourable committee in defence and vindication of his character upon the whole merits of his case, and of said Report, and in support of his Petition presented to the House on the 17th of May, 1811."

Ordered to lie upon the table.

Petition of Mr. Eyre.] A Petition of Robert Eyre, esq. the sole surviving brother and administrator of the will of the late Samuel Eyre, formerly a lieutenant in the British royal navy, in behalf of the representatives of the late admiral sir Edward Hughes, and of the late admiral sir Richard King, baronet, and of all others herein interested, was presented and read; setting forth,

"That, within the month of July, 1781, whilst the Nymph sloop of war, then commanded by the late captain William Stevens, was lying under repair at Calcutta, the said captain Stevens directed the said lieutenant Eyre (with twenty-four of the Nymph's ship's company) to proceed on board a pilot snow, called Narbiddar, against some Dutch craft at that time lying off Chinsurah, in Bengal, and distant from Calcutta about thirty miles; and that lieutenant Eyre first executed the order he had received, and secondly, without waiting for instructions, he effectually surprised the Dutch governor (John Matthias Von Ross), he disarmed the centinels, he spiked the cannon, hauled down the enemy's colours, he exalted the British, and effectually captured the Dutch fort and settlement of Chinsurah, out of sight, out of hearing, without the presence, the aid, or the assistance of the said captain Stevens, or of the Nymph's people, save and except the detachment already enumerated, with whom he continued in the undisturbed possession for several hours, and until, by an act of declared illegal violence, or treason, or of unjust usurpation (on the part of a very considerable number of sepoys, commanded by an Englishman, in the subsequently avowed pay and service of the British East India Company), the said lieutenant Eyre, and his said detachment, were forcibly and unlawfully divested of the fair and well-earned fruits of their individual enterprize and conquest, by which means only the said English Company have, nearly thirty years ago (it is believed) acquired in various prize properties more than one million sterling, for which they have not yet been compelled to render a full and just account on oath, and an immediate deposit *(pendente lite)* for the benefit of the crown and the navy captors, who are virtually interested by the spirit of every prize act and proclamation then and since ordained for the government and distribution of prize proceeds; and that, having been thus deprived of his prize, without adequate force or imprudence to attempt a fruitless resistance against land troops, employed by a chartered company who sometimes claim the privileges of British subjects, he returned with his detachment to Calcutta, he reported his proceedings to captain Stevens, he demanded (officially) an inventory of the several captured properties from the representatives of the said English Company, he entered his solemn protest against the extraordinary misconduct of their said troops, and lieutenant Eyre left a written narrative of these recorded facts, and it is supposed, within the said month of July 1781, he died in Calcutta of a broken heart; and that, the said English company having refused to render any account of the prize properties, instructions were forthwith sent to London by the surviving navy claimants to their agent, who thereupon procured the advice of the present sir William Wynne and sir Archibald Macdonald, and under their opinions employed sir William Scott, sir John Nicholl, and the late James Heseltine, esq. (the king's proctor), whose partner at the time was the late sir Stephen Lushington, who then was an East India director, and under the guidance of those gentlemen, the navy claimants' efforts to assert their rights were commenced in the British High Court of Admiralty; and that the said English Company first denied their amenability to said Court, and alleged their authority as Eastern sovereigns to refuse all account to its jurisdiction, without success; and, secondly, they succeeded in their application for leave to send to India for evidence, by which manœuvre, and a variety of other protractive operations, an expence in sundry charges has been forced on the navy claimants in this suit already exceeding 15,000*l.*; and this cause was first heard in said court in May 1791 by the then judge (the late sir James Marriott), who pronounced a decree or sentence of joint capture made by said detachment from the Nymph sloop of war, one of the squadron under the flag of the said sir Edward Hughes, and the said land forces in the pay and employ of the said English Company; and sir James Marriott then condemned the whole prize proceeds to his Majesty as lawful prize captured during a period of war from the Dutch enemy; and that the said English Company, by the continued possession of immense properties, acquired as aforesaid, of which no account, no deposit (though often suggested by petitioner) had been required by the advocates and proctor employed by the said navy claimants for more than ten years after said capture, and also aware that by its detention they reaped a profit trebly paramount to all costs incurred, the said Company most prudently interposed an appeal against said decree or sentence of joint capture, which came to a hearing before the lords commissioners of appeals in prize causes, and the decision of joint capture was affirmed in 1792, within which year the said English Company condescended to acknowledge that by said capture they had received only 125,854*l.* 19*s.* 4*d.*, out of which they modestly required to be allowed the sum of 58,372*l.* 16*s.* 4*d.* only; that thereupon the said judge, recollecting the recent previous avowal of the said Company's then advocate and secretary (the late doctor Lawrence and Mr. Morton), that the said English Company had acquired by said capture about 500,000*l.*, expressed his great dissatisfaction with said account, and named certain merchants, with Robert Adair, and the late Robert Jenner, esquires, as commissioners by his authority to examine vouchers and accounts at the India House in Leadenhall-street, and he directed said commissioners to make their report to him of the result of their investigations; and that, in consequence, the said commissioners from such vouchers as the secretary and auditor of accounts (employed at that time and now by said English Company) submitted to their examination, soon discovered, that wholly distinct from the sum of 125,855*l.* 19*s.* 4*d.* acknowledged as aforesaid, the Dutch East India Company, previous to said capture, had advanced to various persons sundry sums of money in amount 121,139*l.* 10*s.* on contract to furnish goods, according to the custom of that country; of which the said Company of English merchants had actually received since capture 96,522*l.* 19*s.* 1*d.*; also, that said Company pretended the then existence of a suit on their part against one of the said contractors in Calcutta for recovery of 23,200*l.*; and also alleged the loss of 1,416*l.* 10*s.* 11*d.* by damaged goods, which three last sums constitute 121,139*l.* 10*s.*; and said commissioners in 1793 and in 1795 returned two Reports, duly authenticated to that effect, to said judge, who condemned and decreed the whole prize proceeds as aforesaid to his Majesty; and that of those two sums of 125,855*l.* 19*s.* 4*d.* and of 121,139*l.* 10*s.*; making together the total (so acknowledged and discovered as aforesaid,) sum of 246,995*l.* 9*s.* 4*d.*; the said English Company, in the year 1793, paid into the office of lord Arden (the register of said court) the sum of 67,483*l.* 3*s.*; and into the same office, in the year 1796, the further sum of 119,697*l.* 15*s.* 4*d.*; and the said English Company were tacitly permitted to retain 59,814*l.* 11*s.* then remaining unpaid of said sum of 246,995*l.* 9*s.* 4*d.* exclusive of interest and treble costs, to which, in and by the prize act, the unsuccessful appellants are therein declared to be liable; and that within the said years 1793 and 1796, by two royal warrants, his Majesty was most graciously pleased to grant the whole of said two sums so paid into the office of lord Arden, amounting to 187,180*l.* 18*s.* 4*d.* in two equal moieties; one to sir Edward Hughes and to the officers and ships company of the said sloop of war Nymph, or to their lawful representatives, and the remaining moiety to the said English East India Company, to be by them divided as they might think proper; and that the said English Company in the years 1793, 1795, and 1796, having repeatedly, through their advocate proctor and solicitor, alleged the then actual existence of two suits on account of said sum of 23,200*l.*; one in which said English Company, consequent to said capture, were plaintiffs against the said contractor in Calcutta, and the second suit was asserted to be at issue in the British European Court of Chancery on the part of the Dutch enemy against the said English Company, but it has since been incontestably ascertained that the said English Company, in the year 1784, not only obtained a decree against said contractor for that sum, together with interest at the rate of 10*l.* per cent, from the month of February, 1781, but also for costs of two suits instituted against him, and which was levied on the said contractor (namely, of the late Henry Halsey, esq.) by the Sheriff of Calcutta in June, 1784; and it is also on record, that if the said Company did not then recover the whole sum, they might, on demand, long since have received the amount from the said Mr. Halsey, who died in Kent in the year 1807, worth more than 150,000*l.*; and it is also ascertained, that if any person, with or without the direction of the said Dutch Company, had, in their name, put a Bill on the Rolls of Chancery in 1795, as neither the said English Company, nor the said Dutch Company, have since taken any steps in the furtherance or dismissal of said Bill, it was, in fact, an insupportable pretence when asserted to be at issue; and that, in June, 1796, an application was made, in behalf of the said navy claimants, for an order from said court, to enforce the payment of the aforesaid balance of 59,814*l.* 11*s.* together with interest on that sum; also for interest on one moiety of 187,180*l.* 18*s.* 4*d.* so granted to the said navy claimants; and also for treble costs, incurred by four unsuccessful appeals, which had been antecedently interposed by the said English Company; but sir James Marriot suspended all proceedings, and rejected said application, until said pretended suit in Chancery was terminated, although no order nor injunction from that court was produced by said English Company, nor required by the advocates and proctor, who were paid by the said navy claimants; and that the navy claimants immediately declared to the said advocates and proctor their determination and wish to have an appeal prosecuted against said suspending order; but those gentlemen refused their professional aid, unless directed by government; in consequence, an appropriate solicitation was forthwith made, when the then executive minister (through Mr. Charles Long), officially signified the disinclination of government to interfere; and that the petitioner, convinced that the equity of this case was irrefutably in favour of the navy claimants only, and relying on ultimate justice, has ever since persevered, by various recorded petitions and memorials, to assert and preserve their unforfeited right to appeal from an inferior to an higher tribunal for redress in a presumed grievance, but without effect, until his Petition, addressed to his Majesty in Council, in January 1808, was referred to the law officers of the crown, who recommended the revival of proceedings in the Court of Admiralty against the said English Company for the recovery of the said sum of 23,200*l.*; and that, on a consequent application to the said court, the present judge (sir William Scott), condemned that sum as part of the prize proceeds resulting from the aforesaid capture, and he ordered the said sum to be paid into the office of lord Arden, thereupon the said English Company interposed, and prosecuted without obstruction, their fifth appeal against said condemnation or decree of said judge, which appeal was argued before the lords commissioners of appeals in December 1810, when sir William Grant, for himself and the other judges, affirmed the said decree of sir William Scott, together with interest on said sum of 23,200*l.* from 8th June, 1796, until April 1809, at the rate of 5*l.* per cent. but not from February 1781, as recorded to have been as aforesaid decreed to said Company, and levied on said Mr. Halsey's goods by the sheriff of Calcutta in June 1784, or might have been recovered since; and sir William Grant rejected the application for costs on this unsuccessful appeal from said English Company; at same time he was pleased to remit the remaining cause to the Court of Admiralty; and that it is undeniable, that, after deducting from the aforesaid sum of 246,995*l.* 9*s.* 4*d.* the several sums of 67,483*l.* 3*s.* of 119,697*l.* 15*s.* 4*d.* and 23,200*l* paid in 1793, in 1796, and in 1809, amounting to 210,380*l.* 18*s.* 4*d.* there appears to remain in the hands of the said English Company a balance of 36,614*l.* 11*s.* part of said 246,995*l.* 9*s.* 4*d.* for which the petitioner has, since May 1810, more especially repeated his parole and written request to sir Christopher Robinson, and to Mr. Charles Bishop (his Majesty's present advocate and proctor), to exercise their presumed duties by an immediate enforcement of payment from the said English Company of the said balance, according to the implied intent of sir William Grant, when he remitted the remaining cause to the Court of Admiralty as not included in the printed case laid before the commissioners in December 1809, or in February 1810, though repeatedly suggested by petitioner to said advocate and proctor, prior to the completion of said case; and the petitioner has, since May 1810, oftentimes, in appropriate written and parole terms, solicited the said advocate and proctor at same time, also to apply for interest on the several sums heretofore granted as aforesaid, from the days on which they were received until paid by said Company, and also for interest on said balance of 36,614*l.* 11*s.* from July 1781, until paid; also that the said balance should be laid out in the funds *(pendente lite;)* and also, that those gentlemen, in behalf of the crown, and of the navy claimants, should energetically apply for treble costs on the said four antecedent unsuccessful appeals from said English Company at the same time; but the said advocate and proctor have signified their determination not to proceed further in this cause, unless directed by government; in consequence the petitioner has respectfully applied to government, under date the 4th of June, 1810, and to the House, under date the 17th May, 1811, for direction to said advocate and proctor, and for redress from the House, as yet without effect; and that it is on record that, through the enterprising spirit of petitioner's brother, the said lieutenant Samuel Eyre (who commenced his naval career under the earl of St. Vincent,) and by the subsequent more humble exertions and perseverance of the petitioner, who has heretofore served the public in three quarters of the globe, and therein has been more than once honourably wounded in his Majesty's service, that the sum of 225,266*l.* has already been recovered from said English Company, and submitted to the disposal of his Britannic Majesty; and the petitioner ventures most respectfully to assert, that if, through the humbly-solicited interposition of the House, the said advocate and proctor are legislatively compelled to do their remaining duty to this too long protracted prize suit, or through the authority of the House the navy claimants are permitted to employ other advocates and proctor, a further sum, exceeding 100,000*l.*, is equitably due, and may be received from the said English East India Company; and that hitherto it appears the said English Company have been greatly rewarded for an act of illegal violence, and for nearly thirty years, to them, of extraordinary profitable litigation, whilst it is equally recorded that the navy claimants, for a performance of meritorious duty, have not yet experienced an equality of favour; and that the petitioner, as the surviving brother and legal representative, not only of the said lieutenant Eyre, but also, from the 29th of November, 1796, of the said sir Edward Hughes (under an order, dated 24th of February, 1812, made by sir William Grant in petitioner's favour, on his appropriate application recently made in the Court of Chancery), is greatly interested; and, in consequence, feeling the impossibility of his surmounting the influence of the said English Company, or of extricating himself from the injurious effects likely to result to the petitioner, and to every navy and military prize suitor, if the only advocate and proctor they are as yet permitted to employ, may, *ad libitum*, and with impunity, in any stage of a suit, abandon the interest of their prize clients, and so far disarm that honourable and very numerous class of British subjects, of the superior advantages which their more tranquil countrymen enjoy in the unlimited choice of advocates and solicitors; and that the petitioner, impelled by the said enumerated delays and denial of justice, and loss to him, by repeatedly departing from the spirit of the various prize acts, and the express words of the several royal proclamations in the three royal warrants, dated in 1793, in 1796, and in May 1810, most respectfully and humbly submits the premises to the wisdom of the House, for such remedy as to the House may seem meet."

Ordered to lie on the table.

Leather Tax.] The Chancellor of the Exchequer moved that the Report of the Excise Duty Bill be brought up.

Mr. *Brougham* wished to oppose the duty on Leather as injurious to the husbandry of the country, and burthensome to the lower classes, on whom it would chiefly fall. It was no doubt true, that war was expensive; and nothing was more foolish than to wish to go to war, and afterwards grumble when the taxes became heavy. His objection was not to the amount, but to the nature of the tax: it was not the best tax that might have been chosen, though it was not his business, but that of the Chancellor of the Exchequer, to point out a better. With respect to its pressure on husbandry and the lower classes, he would take for an example a farm of 100 acres of land. On such a farm, at an average, not fewer than two pair of horses and three persons were employed throughout England. He did not refer to the Northern parts of the empire, where agriculture was in a more improved state, namely, in Northumberland, and the southern parts of Scotland, but to the other parts of the island:—it was a melancholy fact, that the strongest prejudices yet kept possession of the minds of persons engaged in husbandry throughout the greatest part of England, and particularly in the Western parts. Such was the number of horses unnecessarily employed in husbandry, that in many parts he was sure the number on a farm of 100 acres, was the double of what he had stated; but he would take the average at only two pair of horses and three servants. Now this schedule laid on an additional duty on these horses and servants, as he would afterwards explain. The leather tax operated as a discouragement to farmers in another way. Supposing a hide to weigh 60 pounds, there would be a duty of more than 7*s.* on each head of cattle, which in so far would be a discouragement to the rearing of stock. The tax on shoes would be felt most unequally; for the upper classes would pay much less than the lower, the duty being laid on by weight, and consequently falling very heavy on the coarse and heavy stuff used for the shoes of the working classes. He understood that the effects of this tax would be to raise the price of the shoes of farm servants, at least 1*s.* 6*d.* on an average, and allowing them two pair of shoes per annum, it would be a tax of 3*s.* a year. The leather used in harness and other agricultural purposes, amounted to a very considerable sum annually. Upon the whole he would consider this as a tax on husbandry, amounting to 2*l.* annually, on a farm of 100 acres. Did gentlemen consider this nothing in addition to the great expences to which farmers were subjected? Taking the rent of England at 30*s.* an acre on an average, the rent of a farm of 100 acres would amount to 150*l.* This useful class of men were placed in a very peculiar situation in respect to the property tax; for while all the other classes of the community paid a tenth on their annual gain, the farmer was rated, not in proportion to what he gained, but what another person gained; namely, the rent he paid to the landlord. In England, when he was taxed on three-fourths of the rent, that was 120*l.* in 150*l.* the property tax amounted to 12*l.* But these taxes which he was now opposing, were equal to one-sixth part of this property tax. The farmers were at present, he would not say groaning under their taxes, but loudly complaining of them; and yet they were going to impose additional taxes on them, equal to one-sixth of their property tax. He would therefore give his solemn protest against the measure. He would not enter into the necessity of throwing no discouragements on agriculture, or endeavour to show its importance to a country situated as this country now was. In this part of the island every person wore shoes; and consequently the duty on leather was in fact a poll tax, but a poll tax not on the head but the feet (laugh).—As his right hon. friend (Mr. Tierney) now suggested to him, the ministry seemed to have substituted a foot tax for the late hat tax. But his right hon. friend, who had now got hold of the feet of the lower classes, would do better, he thought, not to begin his career under such inauspicious circumstances, and rather grasp at five fold duties on the gloves and hats of the higher classes. Why did he not set on foot a poll tax at once. The wearers of shoes amounted to ten millions. Why not at once, instead of making the rich pay 1*s.* and the poor 3*s.* make every person pay 2*s.* This would raise one million, whereas the present tax would not bring in a fourth part of that sum. He did not mean to say, that he wished a poll tax should be substituted, he only said such a tax, however objectionable, would actually fall lighter on the lower classes.

Lord *Althorpe* objected to the tax from its unequal pressure on the lower orders. The price of a labourer's shoes were from 12*s.* to 14*s.* and the tax would amount to 10 per cent. on that sum, while it would not amount to 3 per cent, on the shoes of the higher classes. No addition had been made to the duty on leather since the time of queen Anne, for this reason, that it was always considered as a most unfit object of taxation; and what, he would ask, was the time chosen by the right hon. gentleman for the imposition of this tax, which no preceding ministers had ever ventured to have recourse to?—a time when the quartern loaf was 1*s.* 7$\frac{3}{4}$*d.*; when the manufactures of the country were at a stand, when it was almost impossible for an agricultural labourer to bring up a family without the assistance of the parish. He should move as an amendment, That the Bill be taken into consideration this day six months.

Mr. *Bennet* seconded the amendment, on the ground, that the tax went to levy a contribution on the industry of the poor. He recommended to government not to adopt the sentiments of the Roman emperor, who thought that 'Lucri bonus est odor ex re qualibet.'

Mr. *Lockhart* said, however necessary the imposition of new taxes might be, the present tax on leather was certainly highly objectionable from the unequal manner of its operation, and the discouragement it would occasion to the agriculture of the country. If taxes were to be laid on the agriculture of the country, why, he would ask, was the titheholder to be exempted. In proportion as a tax was heavy on the farmer, it was a bonus to the titheholder, into whose pockets the tenth of the tax paid by the farmer most unquestionably came. The truth was, that the interest of the person who held the tithe was frequently better than that of the person who held the property; and he had known instances where actually a fourth part of the land had been demanded for it for a liberty to inclose.

General *Tarleton* stated, that the leather tax would be a considerable hardship on the army, particularly on the colonels of regiments.

Sir *T. Turton* said, he had been instructed by the tanners of the Borough, who lately had a meeting on the subject, to complain of the severe manner in which this tax would affect them. They had now eighteen months stock on hand; their trade had been for a considerable time very bad, from the high price of oak bark. The Scotch and Yorkshire tanners were as badly off in that respect as the Irish tanners, who paid no duty; and the consequence would be, they would be undersold in their own market, if the duty in England was to be doubled, while nothing was laid on in Ireland.

Alderman *Combe* spoke against the tax.

Mr. *Brand* expressed his hope that the third reading of the Bill would not be immediately pressed forward.

Mr. *Biddulph* said, that before he could assent to the imposition of new taxes, he must be satisfied that proper measures were taken for securing economy in our expenditure. Were this done, the nation would no longer have to complain of extravagance, and the burthen of new impositions would be spared. He had also to complain that the taxes were not equally and fairly collected. It appeared, for instance, from the 6th Report of the Committee of Enquiry, at which an hon. gentleman on the floor (Mr. Bankes) presided, that the income tax had been by no means exactly levied in Scotland. In that part of the country, the expence of collecting the revenue was considerably greater than in England, for which he saw no reason. These circumstances proved, that the existing taxes were not equally and diligently levied; and till these abuses were remedied, he could not assent to the proposition of new burthens.

The *Chancellor of the Exchequer* said, that he had not risen sooner to address the House on this question, because he was desirous previously to collect the various opinions that existed in the House on the subject under their consideration. The hon. and learned gent. who commenced the present discussion, had admitted the necessity of additional taxation; he might also have admitted that as during the last century every article of use and consumption had been subjected to impost; it was nearly impracticable to resort to any mode of taxation but an increase of the existing duties. It so happened that no increase of duty had taken place on the article which was the subject of debate for 101 years, during which period almost every other article of use or luxury had undergone a gradual increase of taxation. The objections to the proposed tax on hides and skins resolved themselves into three classes; those who maintained that it would be injurious to agriculture; those who maintained that it would bear severely, and with partiality on the poor; and those who maintained that it would materially affect the manufacturing interest. With respect to the first kind of objection—namely, that the increase of the duty would be injurious to agriculture, if even all the calculations of the learned and hon. gentleman opposite were admitted, the case he had made out for the farmers, appeared to be that, taking into the account all the taxes they were liable to, with the addition of this increased duty, they were subject to a taxation of something less than two pounds for every hundred acres. But the hon. and learned gent. had in some degree furnished an answer to his own argument; for he told the House, that if the farmers would but adopt throughout the kingdom the improved practice of agriculture which prevailed in some districts, the advantages which they would thence derive, would amply compensate for any increase of taxation. There could be no doubt that this improved practice would by degrees spread itself over the whole country; and that human labour, and the labour of horses, would be much abridged by the gradual introduction of machinery to perform the various agricultural operations, such as threshing, &c. to which it was applicable. But the fact was, that after all, the proposed increase of duties would not be at the rate of above 4*d.* or 5*d.* an acre to the farmer. Could it be supposed that this would occasion any material injury? Still less could it be apprehended (as seemed to be apprehended by some hon. gentlemen) that it would cause any diminution in the existing rents of farms. So much for the first species of objection. He would proceed to the second; namely, that the proposed increase of duty would materially and partially affect poor people. Than this, nothing seemed to him to be more unfounded. He admitted that the poor must feel their share of the proposed increase, as they always felt their share of an increase of any of the duties on articles, either of necessity, or which custom had intoduced into general consumption. It was true that the increase of the excise duties on hides and skins would compel the poor to pay somewhat more for their shoes; but even after the increase, the price which they would have to pay would not be so great as it was in the days of queen Anne, when the original duty was imposed. It had been said that the poor would suffer not only indirectly, but directly. This he denied. The calculation which had been made on this subject was most erroneous. It would appear by that calculation that the duty would be increased 300 per cent. to the consumer. Into whose pockets would this exorbitant increase on the consumer go? The tanners denied that they would receive any of it. The curriers and shoemakers did not admit that they would receive much. But let the probable fact be examined. The weight of a poor man's pair of shoes might be estimated at two or three pounds. The direct tax, therefore, could not amount to above 4½*d.* or 5*d.* on each pair of poor man's shoes. As to the shoes of the higher classes, it was well known that a great part of the price paid for them was not in consideration of the leather, but of the fashion. He had still to reply to the third class of objections, viz. that the increase of duty would very much injure the manufacturing interests. He had even been desired to postpone the progress of the Bill, in order to receive the communications of the manufacturers, and to hear their objections. He had received their communications, and he had heard their objections. Every hon. gentleman present had doubtless a copy of the paper which he held in his hand, containing the statement of those objections. The first objection in the statement was, that the increase of the duty would operate exclusively on the manufacturers. Nothing could be more unfounded. Indeed it was directly contradicted by some of the objections in the latter part of the statement, for it was impossible for the manufacturers to support all the objections which this paper contained. They clashed. It was impossible that they could maintain that the price would be raised to the consumer, and at the same time that the operation of the duty would be confined to the manufacturers. He would here observe, that it was not intended to charge the additional duty on the stock in hand, and the manufacturers would therefore gain some advantage by the necessary rise in the price of that article, which they had laid in on comparatively advantageous terms. He would proceed to the consideration of the next objection contained in the manufacturers' statement—namely, that the increase of the duty would check exportation. How could this be? A drawback was allowed on exportation. Goods exported would be therefore free from duty, and there would be the single inconvenience, that during the interval between the manufacture and the exportation, the duties must be advanced, so that a larger capital might be necessary than would be requisite in other circumstances. The next objection urged by the manufacturers (although it had nothing to do with themselves,) was, that the duty would have the effect of lowering the price of oak bark.—Now really if the manufacturers raised the price of leather to the consumer, so much as it was by some said they would do; they would be able to pay more for oak bark, instead of wishing to procure it on easier terms than at present. The manufacturers also complained that the increase would give an undue advantage to the Irish tanners. In what manner? The Irish tanners at present paid a duty somewhat less than that paid by the English tanner, and when the existing duties in England were doubled, it was evident that the Irish tanner would pay much less than the English tanner. But in what market could this affect the English tanner? Not in the English market, for if the Irish tanner brings his goods to an English market, he must pay the English duty; and if, on the contrary, the English tanner carried his goods to an Irish market, he would receive the drawback, and would be subject only to the Irish duty. The remaining objections in the paper, containing the statement of the manufacturers, consisted of a reference to the hardships which the lower classes of the community would endure from the encreased price of leather. But as he had before observed, these objections were wholly incompatible with the first declaration, that the evil would rest exclusively on the manufacturing interest. As to postponement, he really did not see how delay could throw any light on the subject. The whole case was before the House. It was a very simple one. Similar objections would be made to any tax that could be devised. He was not one of those who concurred in the soundness of the principle, that the rich alone should be subjects of taxation.—Neither was it true that taxes which bore on the rich were not felt by the poor. For instance, if (as had been recommended in some quarters) the income tax were increased in its operation on the higher classes beyond the fair proportion, what would be the consequence, but that the higher classes must diminish their expences; that they must dismiss part of their different establishments; they must dismiss the number of persons employed by them in the various occupations of life, and the evil would thus be communicated from the most exalted to the lowest members of the community. The true principle was, that as the rich and the poor had one common interest in the safety and welfare of the country, so the legislature ought to take care that one common system of taxation should, if possible, be applied to them.

Mr. *Bastard* contended, that the only reason why the leather tax had not been increased these hundred years was, from a conviction that it would not bear it. It was acknowledged to be a land tax equal to five-pence per acre, and the poorest as well as the richest land would be equally affected by it. He again recommended the sale and cultivation of the waste lands as a resource against famine, and of revenue.

Mr. *Sheridan* did not mean to enter int the arguments against the tax, but thought that the Chancellor of the Exchequer could not resist the reasons which had been urged for some delay of its consideration. It would materially affect a very worthy and industrious set of people,—he meant his former, and probably his future constituents at Stafford; and those who had witnessed the decayed state of its trade, and the want of work, there experienced, would pause before they assented to this measure. He knew no tax that would fall so much on the poor, from the quantity of leather which the ploughman had in his strong rough shoes, compared with the man of fashion in his light ones. If it were to be paid only on the fine trappings, the smart saddles, and the hussar boots of our fashionables, he should not regret it. No article had risen in price so much as leather. When he had the honour to be Secretary of the Treasury some years ago, this tax was proposed, but soon rejected.

A division then took place, when there appeared for bringing up the Report, Ayes 66; Noes 40; Majority 26.

List of the Minority.

Aubrey, sir J.
Baring, A.
Brand, T.
Biddulph, R.
Bastard, E. P.
Burdett, sir F.
Bennet, H. G.
Creevey, T.
Combe, H. C.
Fitzgerald, M.
Giles, D.
Gower, lord
Hutchinson, C. H.
Hanbury, W.
Howorth, H.
Hamilton, lord A.
Herbert, hon. W.
Hughes, W.
Lloyd, M.
Lockhart, J.
Mexborough, earl of
Macdonald, James
Martin, H.
Newport, sir J.
North, D.
Ossulston, lord
Pollington, lord
Parnell, H.
Palmer, C.
Pelham, G.
Pelham, C.
Sheridan, R. B.
Smith, J.
Scudamore, R.
Somerville, sir M.
Tavistock, marq. of
Tierney, G.
Turton, sir T.
Wilder, F. J.
Westerne, C. C.

TELLERS.

Althorpe, lord
Brougham, H.

PRISONERS OF WAR BREAKING PAROLE.] Mr. *N. Calvert* moved, that the paper laid on the table, relative to French officers on parole, be printed. He said, the great number of French officers who had taken an unfair and dishonourable advantage of the confidence placed in their honour, by the government of this country, was almost incredible; and he thought some effective measures should be adopted to prevent the recurrence of similar breaches of faith, and the abandonment, by those who so broke their faith, of every principle of morality; the numbers were so great that no former war was in the slightest degree to be compared to them. He thought therefore the Transport Board should be empowered to put an end to such shameful proceedings; or at least to render them less frequent. —While he was on his legs on this subject, he could not help observing, that the enormous number of foreigners residing in this country amounted to a great grievance. It was his earnest wish to give every degree of protection to such unfortunate persons as had been compelled to reside here from persecution in their own country; but he thought those who had come here, and still remained, without being able to produce proof of such being their situation, should be sent out of the country directly.

Lord *Castlereagh* thanked the hon. gentleman for the observations he had made. The subject deserved every consideration, and government were very desirous to pay all attention to it, though there would be great difficulty in discriminating in a case so intermixed.

Mr. *Baring* said, he thought something was necessary to be done as to officers breaking their parole; but still, from some statements he had received, even those persons thought they had reason to complain. He then mentioned the complaint of a French officer, who for that offence was now confined on board a prison-ship at Chatham. He was a man of great family and connections in France, as well as of education; and he complained of being put into the society of three or four hundred common soldiers of his country. He had stated, that if an English officer, being a prisoner in France, had committed the same offence, he would have been committed to close confinement; but not in such company as he was, for he was actually over-run and devoured, as it were, by vermin.

Sir *J. Sebright* said, that when an officer had proved he was not to be trusted on his parole of honour, he had brought upon himself a debasement of character which justified his being confined with persons of an inferior rank; and though there might be 400 common soldiers in the same place with him, he had, by his conduct, brought himself below their level.

Mr. *Croker* said, this man had been allowed to go at large on his parole of honour, and had been apprehended in attempting to make his escape out of the country. So many, however, and so respectable were the representations which had been made to the Transport Board, of his being a man of family and education, that he was once more allowed to go at large on his parole of honour, and had a second time broken it. If he was covered with vermin, it must have been his own fault. He himself had visited the prison-ships at Chatham, in which the greatest cleanliness prevailed, the prisoners were well treated,—carefully separated according to their several degrees,—were in the highest spirits,—had many pleasures to resort to, even that of billiards. He begged to take the opportunity to state, that the Board of Admiralty had taken steps to prevent all those who should break their parole, from being allowed to be exchanged during the war; but there had been so many solicitations from various quarters, backed by such powerful interest, that they found great difficulty in adhering to their resolution, though it was so highly necessary. He hoped gentlemen would be more cautious in future how they signed their names to recommendations on this head.

Lord *Castlereagh* said, there never was an instance of an English officer having broken his parole who was not stigmatized by his government, and deprived of promotion.

Mr. *Croker* mentioned an instance which occurred at the Admiralty only yesterday, when very powerful interest had been employed to promote a midshipman, who had broken his parole some years ago, but the answer given was, that an officer who had forfeited his honour, by breaking his parole, was no longer deserving his Majesty's commission.

Sir *G. Warrender* having lately gone over the prison-ships at Chatham, bore testimony to the cleanliness and comfort of all the men there confined.

Mr. *Goulburn* explained the difficulties under which government laboured in refusing admission to foreigners.

Sir *F. Burdett* expressed his opinion, that the act of parliament lodged in the hands of government power which might be abused; but he did not mean to assert, that it had been abused. He did not see any reason for refusing residence to aliens, as long as they conducted themselves peaceably and obeyed the laws. The conduct of the general officer alluded to was most scandalous, and in his opinion government had behaved with too much lenity to him, and too great injustice to the private soldiers, in disgracing them by the company of such a man. He rose principally to notice the immense accumulation of prisoners in consequence of the protracted warfare, and he expressed his determination before the rising of the House, to move for certain documents to shew what endeavours had been made to procure an exchange of prisoners with France.

Mr. *Robinson* reminded the hon. baronet that such a motion had been made 18 months ago, when it appeared that the rupture of the negociation upon the subject was owing to the indisposition of the French government.

Sir *F. Burdett* enquired whether any message had been received from the enemy upon the subject since that time?

Mr. *Croker* replied, none; but he begged to add, that, subsequent to the rupture of the last negociation, more than one attempt had been made without success by the British government to renew it.

After a few words from Mr. Calvert, in which he stated that the return included the names of no less than five general officers who had broken their parole, the Speaker informed the hon. member that the printing of the document in question had been already ordered some days ago.

MR. PALMER'S PER CENTAGE BILL.] Colonel *Palmer* moved, that the House should go into a committee on Mr. Palmer's Per Centage Bill, and that it be an instruction to the said Committee to insert a clause therein, pursuant to the Resolution of the Committee of Supply, granting the sum of 78,344*l.* 12*s.* 9*d.* to Mr. Palmer.

The *Chancellor of the Exchequer* protested against the vote as a misapplication of the public money.

A division took place—Ayes, 40; Noes, 9.—Majority in favour of Mr. Palmer, 31.

HOUSE OF LORDS.

Saturday, June 27.

PRINCE REGENT'S MESSAGE RESPECTING THE DISTURBED STATE OF CERTAIN COUNTIES OF ENGLAND.] Viscount Sidmouth presented a Message from the Prince Regent respecting the state of certain counties of England; for which see this day's proceedings of the Commons. The

Message was ordered to be taken into consideration on Monday, and their lordships to be summoned.

HOUSE OF COMMONS.

Saturday, June 27.

Prince Regent's Message respecting the disturbed State of certain Counties of England.] Lord Castlereagh delivered the following Message from his royal highness the Prince Regent:

"George *P. R.*

"His Royal Highness the Prince Regent, in the name and on the behalf of his Majesty, has given orders that there be laid before the House of Commons, Copies of the Information which has been received relative to certain violent and dangerous proceedings, which in defiance of the laws have taken place, and continue to be carried on, in several counties of England.

"His Royal Highness confidently relies on the wisdom of Parliament, for the adoption of such measures as will be best calculated to afford security to the lives and property of his Majesty's peaceable and loyal subjects in the disturbed districts, and for the restoration of order and tranquillity. G. *P. R.*"

Lord *Castlereagh* then moved that the Message be taken into consideration on Monday.

Mr. *Brougham* expressed his concern, that after those disturbances had so long existed, the notice of them should have been put off till so late a period of the session. Still greater was his astonishment, that the call of the House should have been discharged when any measure was to be adopted for the alteration of our laws, which was always, if possible, avoided by our ancestors, even in worse and more dangerous times than the present.

Mr. *Giles* wished to know if the noble lord intended to found any motion on this Message on Monday next?

Lord *Castlereagh* said he should propose an Address to his Royal Highness, in answer to his most gracious Message, and also propose that a Select Committee be appointed to enquire into this subject.

Mr. *Horner* wished to know if the noble lord intended to name the Select Committee on Monday?

Lord *Castlereagh* said, that the Select Committee would be named on some future day.

HOUSE OF LORDS.

Monday, June 29.

Prince Regent's Message respecting the disturbed State of certain Counties.] Viscount Sidmouth laid on the table a sealed bag of papers, containing the information alluded to in the Prince Regent's Message. The order of the day having been read, the Message of the Prince Regent was read at the table.

Viscount *Sidmouth,* in rising to move an Address to his Royal Highness, trusted there would be an unanimous concurrence on the part of their lordships in expressing their gratitude for the communication, and in declaring their determination to take into consideration the documents presented to them, and to adopt such measures as the information communicated might appear to require for the safety and security of his Majesty's loyal and peaceable subjects, and the restoration of tranquillity. He should afterwards propose to refer the papers to a committee of secrecy, and it was not for him at the present moment to anticipate what measures might by that committee be deemed necessary. It was with great pain that his Majesty's servants had found themselves compelled to resort to this step, but the necessity that existed, rendered it a duty imperative upon them, to advise his royal highness the Prince Regent to make the present communication to parliament. It could not of course be expected that he should now enter into any detail of those circumstances which had rendered necessary this communication. It was, however, matter of notoriety, that acts of the greatest violence and outrage had been committed in some districts of the country; and although the conduct of the rioters might be, in some degree, traced to the high price of provisions and the reduction of work, still there was no doubt that these outrages were fomented by persons who had views and objects in thus fomenting disturbances, which it was the duty of government to counteract. The repeal of the Orders in Council might tend, by increasing employment, to withdraw many from this system of riot and outrage, but government would have incurred a heavy responsibility, if, with the knowledge of the documents now communicated to the House, and aware that the hopes of increased employment might be disappointed, or that it might please Providence to inflict the calamity of another deficient harvest, they had not advised his royal highness the Prince Regent to make this communication to parliament. Every measure had been adopted on the part of government: the military had been called in to assist the civil power, and had conducted themselves with the utmost zeal and moderation; special commissions had been issued for the trial of several persons for acts of riot and outrage, some of whom had paid the forfeit of their lives; others had since been taken into custody, and been ordered for trial. But under the circumstances of the present state of the disturbed districts, his Majesty's servants had considered this a communication absolutely necessary, in order that measures might be adopted for the security of the lives, and the safety of the property of his Majesty's peaceable and loyal subjects. It would of course rest with the committee to whom the documents were to be referred, to consider what measures were necessary: he did not, however, mean to say, that his Majesty's government had not formed an opinion as to what measures would be requisite. His lordship concluded by moving an Address to the Prince Regent, returning thanks to his Royal Highness for the communication, stating that the House would take into their serious consideration the documents referred to, and expressing their determination to concur in such measures, as, from the information communicated, might appear to be necessary, with a view to the security of the lives and property of his Majesty's peaceable and loyal subjects.

Earl *Stanhope* observed, that there was not a word in the proposed Address which was not very proper; but at the same time it was much to be wished, that some farther explanation of what was intended should be given; for as to the adoption of proper measures, this might mean any thing or nothing: it was no explanation at all. He could not help also observing, that the noble viscount himself, by his Bill of last year, had been a great cause of discontent and disturbance; and he might thank the prudence of opposition, and of ministers—of bishops and laymen—that he had not been the cause of much more disturbance. He regretted that any such step as this should be necessary to restore tranquillity: but had they tried every other proper measure? Let them look at the situation of the peasantry of Ireland; of the poor of Wales; and of the non-conformists, who formed the greater part of the population of the empire. Let them endeavour to preserve tranquillity, by conciliating the people, and leaving no just cause of complaint. This would be the course of a wise government. But still these unlawful riots must be suppressed, and he had no objection to the words of the Address. He thought it right, however, to propose to add the following words,—"not violating the principles of the constitution." This addition was necessary, considering the vague and ambiguous state in which the noble viscount had left the question.

The Earl of *Liverpool* did not think that their lordships would pledge themselves to do any thing tending to violate the principles of the constitution, by agreeing to the Address without the words proposed. The noble earl called for farther explanation; but what farther explanation could his noble friend have given under the circumstances of the case? His noble friend had stated, that there were serious disturbances in the country, which the measures hitherto adopted had not been sufficient to suppress; and he had laid on the table a sealed bag, containing the proof of what he had stated. Under such circumstances the motion to refer the information to a Secret Committee, without anticipating what might be the proper measures to be adopted in consequence, was conformable to the ordinary practice of parliamenton such occasions. It would have been in the highest degree indecorous to hint at the steps which ought to be taken, before the examination of the papers. The proper measures would be the result of the investigation, founded on the information given to the committee. The ministers ought not to commit themselves to any particular measures at present. All they could regularly say at present was, that, in their opinion, some farther measures were necessary. What these should be remained for future consideration. When the noble earl talked of violating the constitution, he probably meant more than met the ear. If the noble earl meant, that it was a violation of the principles of the constitution to depart, on extraordinary occasions, from the ordinary practice of the law, he completely differed from him on that point. Parliament had the power to adopt extraordinary measures to meet extraordinary cases; and when such cases occurred, it was perfectly constitutional to exercise that power. If parliament had not exercised that power on particular emergencies, their liberties would not now have existed to such an extent as they did. This, however, was not the time for such discussions. The subject would come more regularly under consideration when the committee had made its report.

Lord *Holland* concurred with the noble viscount who proposed the Address, in the opinion, that it would be improper in the present stage of the proceedings, to anticipate what measures it might be proper to adopt. He also agreed with the noble earl who spoke last, that it would be much more decorous to defer the discussion till the committee had made its report. But, at the same time, he saw no objection to the words proposed to be introduced in the Address by his noble friend; on the contrary, he thought, that something like this addition was requisite. They talked of not trusting to speculation, but recommended the adoption of such measures as would be calculated to meet the worst that could happen. All this was very properly urged; but, at the same time, he was an old enough member of parliament to know, that sealed green bags and secret committees threatened the generating of such monsters as the suspension of the Habeas Corpus Act, and similar abominations. The suspension of the Habeas Corpus Act he should always oppose; and under all the circumstances of the present case, he thought it was candid and right to express at the outset, an anxiety to preserve the principles of the constitution inviolate.

Earl *Stanhope* agreed with his excellent and constitutional friend so far, that in no case would he consent to the suspension of the Habeas Corpus Act; but more especially he would not consent to place such a power as this would furnish, in the hands of such a minister as the noble earl opposite, (Liverpool,) a minister who had no fixed principle at all, and was more versatile than a weather-cock, turning about with every change of wind. That minister had declared, that he would adhere to the Orders in Council, and had soon after relinquished them. He had declared, that he would oppose his (lord Stanhope's) Gold Coin Bill. At five o'clock he intended to vote against it; at six o'clock he was resolved to oppose it; at seven o'clock he was still hostile to it; but in five minutes after, he suddenly held a cabinet council, and became one of its warmest supporters. Was it to such a weathercock of a prime minister that such powers should be entrusted? He had great hopes, from the opposition of the noble earl, that he would ultimately support him.

The *Lord Chancellor* then put the question on earl Stanhope's amendment, which was negatived; earl Stanhope declaring, that he would not divide the House upon it, as the subject would come again under consideration.

The Address was then agreed to without farther opposition.

Viscount *Sidmouth* next proposed that a Secret Committee should be appointed, to consider the information adverted to in the Prince Regent's Message; that the Committee should consist of eleven lords, to be chosen by ballot; and that the House should proceed to such ballot at four o'clock to-morrow.—This was agreed to.

HOUSE OF COMMONS.

Monday, June 29.

Petition of Woollen Manufacturers in Cornwall, Devon, and Somerset, respecting the Renewal of the East India Company's Charter.] A Petition of the manufacturers of Long Ells, resident in the counties of Cornwall, Devon, and Somerset, was presented and read; setting forth,

"That the petitioners are materially interested in the export trade of woollens to China by the East India Company, inasmuch as the amount of the Long Ells manufactured in those counties for China equals in value about one half of the total exports to that country; that they consume the wool of about 800,000 sheep, and employ more than 16,000 labourers, thus essentially benefiting both the agricultural and manufacturing interests of the country; and that the petitioners employ large capitals, and have expended considerable sums, in erecting mills, factories, and machinery for the purpose of carrying on the said manufacture; and they are, from long experience, convinced that the trade in Long Ells to China cannot be carried on with such systematic regularity, and to its present extent, through any other medium than that of the East India Company; and that the East India Company, by means of the minute examination to which the goods they purchase are subjected, and the peculiar excellence of their established system, are enabled to keep their quality fully up to their fixed standards, thereby preventing that depreciation which has proved the ruin of divers extensive and valuable branches of the woollen manufacture in the West, and which the petitioners are firmly impresed with a belief would soon destroy the reputation of our goods in the minds of the sagacious Chinese; whereas, at present, they rely implicitly on the Company's marks, which are a passport for the goods from man to man in traversing that vast empire, whilst the petitioners have to deplore the total loss of many valuable articles in their manufacture in consequence of individual competition for selling low in foreign markets, and consequently for buying and finishing at the lowest prices at home, a competition which the East India Company wisely avoid; and that China, being a country producing materials for manufactures in cotton and silk, the labourers being numerous, and the wages low, sufficient cloathing is furnished at home for the bulk of its population; and it appears, by the returns from thence, that the Company, desirous of finding a vent for our manufactures, have already glutted the market therewith, having annually exported thither more than their agents thought would be sold, although those agents are paid by a per centage on the amount of the sales as a stimulus to promote the extension of the trade, so that the petitioners are convinced that no increase thereof would be effected by opening the China trade to individuals; and that, adverting to the peculiar jealous character of the Chinese, to the vexatious restrictions imposed by them on Europeans, their known indifference to the European trade, and their dislike to innovation, the petitioners cannot but dread the consequences that would follow on an increased influx of strangers, which, by rendering the infraction of these restrictions almost inevitable, would soon endanger the entire expulsion of our countrymen, and the total annihilation of the trade; and that the petitioners have seen, by the accounts of sales transmitted from China, that the Company do not make a profit on Long Ells exported thither; that, in fact, they lose by purchasing teas with them, silver being a more profitable medium; but they consider it a duty they owe the public, as a chartered company possessing the exclusive privilege of that trade, to promote the staple manufacture of this country, a measure which the petitioners apprehend would not be adopted if the trade was open to individuals: and that the petitioners conceive it needless to state more at large their apprehensions of the destructive tendency of opening the China trade to individuals, because this subject is too well understood, and too materially connected with the vast revenue derived from its imports, to be brought under discussion; but the petitioners are alarmed for its stability, should the importation of goods from India be permitted at the outports, from the facilities such a system would open to smuggling on a large scale along the extended coasts of Great Britain and Ireland, which no financial regulations would be able to prevent when high duties invite thereto, and also thereby occasioning a competition with the India Company's sales, which they would not be able to withstand; and that the petitioners, therefore, most humbly, but most earnestly, beg leave to add, that the risking of a trade which affords such substantial benefits to the petitioners, as also to the landed interests of the Western counties, they consider as too hazardous an experiment to be attempted, unless it could be shewn that an increase of their manufacture would be effected by adopting the theoretical schemes which have been suggested to the House: but it will be found that those persons who have prayed the House not to grant a renewal of the Company's Charter, have not contended that an increased export to China would be the consequence, therefore it would seem that those petitioners were influenced only by personal interest to participate in the trade, thus a compliance with their prayer would only be removing the business from those who have large properties embarked in the trade (and whose establishments would of course be rendered useless), to these new claimants, a measure which the petitioners are, by experience, too well convinced of the equity and justice of the House to believe they ever will comply with: and praying the House to continue the exclusive trade to India and China to the East India Company as at present."

Ordered to lie upon the table.

PRINCE REGENT'S MESSAGE RESPECTING THE DISTURBED STATE OF CERTAIN COUNTIES OF ENGLAND.] Lord Castlereagh brought up a large sealed packet of papers by order of the Prince Regent, being the information to which his Royal Highness had in his Message alluded, and which he stated should be laid before parliament.

Lord *Castlereagh* then rose and said, that the course of proceedings which he should recommend, would render it unnecessary for him now to trouble the House at any length upon this important subject. He should first propose that the House should express its thanks to the Prince Regent for the Message his Royal Highness had sent, and should give its assurances that no time should be lost in taking the subject into consideration, by instituting such proceedings as might be deemed expedient. His lordship's next proposition would be, that the papers he had just laid upon the table should be referred to a Committee of Secrecy, not for the purpose of recommending any measures to the House, but merely of examining the private information communicated, of laying the substance of it before parliament, in such a form as would give the House a distinct and fair view of the actual state of the disturbances which had so long subsisted in the interior. By the Message of the Prince Regent, however, it was by no means intended that government should be discharged from the burden of submitting to the country their opinion upon the subject, and of bringing forward such measures as to them appeared likely to correct the evil. His lordship would not now enter into these topics; since, after the committee should have reported, a much more fit opportunity would be afforded; and as nothing could be more injurious than that the matter should be prematurely discussed, so nothing could be more advantageous than that it should be fully and fairly investigated, that the opinions of all might be ascertained, and if possible accommodated. At present any disclosure even of the general outline of the plan proposed by ministers to be pursued, would only serve to excite feelings far better suppressed, and to lead to discussions far better postponed. His lordship's reluctance did not arise from any unwillingness, or fear in exposing what course ministers would suggest, but it originated in an opinion that neither the House or the country being in possession of the facts, were not prepared for any measures founded upon those facts. On a former day an hon. and learned gentleman (Mr. Brougham) had adverted to delay, of which he accused government of being guilty in not calling for the aid of parliament at an earlier period of the session. His lordship felt confident that he should be able to persuade the House that it was to be attributed to a justifiable reluctance to solicit other aid, while there remained a hope that the established laws of the constitution would be found adequate to the exigency. With regard to what had fallen from the same individual as to the Call of the House, his lordship was prepared in a way that, he trusted, would prove satisfactory to the House, to shew, that previous to the discharge of the Call, ministers were not in possession of such intelligence as would authorize them in resorting to the legislature: he was also ready, at the proper time, to detail to the House those particular circumstances which had subsequently occurred, to induce them to take the step which they had now adopted. Of this his lordship was certain, that in government there was no disposition to shun the discussion of the subject before, or to be deprived of the assistance of a full attendance, but the hon. gentleman himself would recollect that on Friday, the day after the Call was discharged, he (lord Castlereagh) stated to the House that he should be authorized to make a communication to it on this subject. His lordship concluded by proposing, "That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness the Thanks of this House for his most gracious Message, and to assure his Royal Highness that this House will immediately take into their most serious consideration the subject recommended to them in his Royal Highness's Message, and will adopt such steps as may appear to them best calculated to afford security to the lives and properties of his Majesty's peaceable and loyal subjects in the disturbed districts, and for the restoration of order and tranquillity."

Mr. *Whitbread* said, that he did not rise to oppose the motion. He professed his ardent wish that the noble lord would, as he asserted, be able satisfactorily to shew why he suffered the Call to be discharged before he made any communication to the House: as affairs now stood such conduct appeared to require a very ample apology to the peaceable inhabitants of the country. He sincerely hoped that after the Secret Committee should have been appointed to report upon the papers sealed and delivered at the bar this day, it would be found that no extraordinary measures were necessary, and as the noble lord had deprecated discussion, so he (Mr. W.) deprecated any ill-advised attempt to do good from which so much injury might ensue. Examples from our own and from the history of other countries were not wanting to shew with what extreme caution we should proceed, and, profiting by dear-bought experience, he trusted that the subject would be discussed without passion, and decided without precipitation. After the whole matter should have been investigated, he could not avoid indulging a sanguine hope that it would be found that the law of the country, as it now stands, properly executed, and that the power of the crown, as it now stands, properly exercised, were quite adequate to the restoration of tranquillity.

Mr. *Wilberforce* entirely participated in the hope, that nothing would be found in the documents laid upon the table to call for any extraordinary measures. He would not allow himself even to express an opinion, lest it might give rise to feelings that ought to be banished from all minds, that might produce dissent instead of union, for the accomplishment of an object of the greatest magnitude. Not being at all acquainted with the nature of the papers supplied, and not having been present on Saturday when the message was brought down, he was, perhaps, of all men the least competent to offer any thing to the House, but he could not avoid rising to express a wish, that the utmost calmness and moderation might be observed in the deliberation. Nearly connected as he was with a district of the country most disturbed, he felt it necessary to conjure the House, that the case of these unfortunate and misguided people might be fully and candidly weighed, that the result might be the restoration of order, unanimity, prosperity, and happiness.

The question was then put, and the resolution was agreed to, *nem. con.*

Lord *Castlereagh* then moved, that the papers he had presented, should be referred to a committee, that it be a committee of secrecy, and that the number of members be 21; which were severally ordered. His lordship likewise moved, that the members be chosen by ballot.

Mr. *Whitbread* protested against this mode of proceeding, since it would give the noble lord the appointment of every member of the committee. He wished that the members of it should be publicly named and chosen, that the House, and not the noble lord, might have the formation of the committee.

Lord *Castlereagh* persisted in his motion, since he was certain that on no side of the House on such a question would party feelings be exercised; he was convinced that it would be treated by parliament in a manner, which while it did it honour, would give satisfaction to the people.

Sir *F. Burdett*, looking at the precedents to which the hon. gentleman had referred, could not help feeling great jealousy as to the conduct of government; he hoped that the bounds of the constitution would not a-new be transgressed by them. The mode in which the committee was formed, if the satisfaction of the people were looked to, was of the utmost importance. It ought to be of such a description that the country would place reliance upon its wisdom and impartiality, and not to be merely composed of the creatures of ministerial nomination.

The question that the committee be chosen by ballot was then put and carried, though there were a number of dissentient voices.

On the question that members prepare lists, and appear to-morrow to put them into the classes appointed for their reception,

Mr. *Whitbread* declared that he should not attend for that purpose, as experience had shewn that it would be useless, since any list he might prepare would be smothered in the vast heap of names supplied by the noble lord and his political friends.

It was ordered that the papers communicated by the Prince Regent should remain sealed until the appointment of the committee.

Ecclesiastical Courts Regulation Bill.] Sir *W. Scott* rose for the purpose of moving for leave to bring in a Bill to regulate Ecclesiastical Courts. He commenced by a learned examination of the original institution of the ecclesiastical courts, but although detached sentences were caught, the general thread of the narrative was altogether lost in the gallery. He quoted the opinion of lord Bacon, to shew that some alterations were even then deemed necessary, and referred to the attempts made by James the First, Anne, and in 1772-3, without success, to effect this object. He then went on to state what in his Bill he had accomplished, and what he had left unperformed. In the first place he had provided, that the process of excommunication should be discontinued, and in its place he had substituted the process *de contumaci capiendo.* He had next abolished excommunication generally, excepting in cases of great enormity. He had not thought it fit to destroy it altogether, since as every other establishment possessed the power, he did not think that the Church of England should be placed in an inferior situation. The next provision was, that the civil consequences attendant upon excommunication should be removed, except in cases of incest and some others.—The object he had next contemplated, was the abolition of a number of minor ecclesiastical courts on the maxim, that improvement in jurisprudence is promoted by extension of jurisdiction. A number of clauses had been inserted for the purpose of removing the proceedings of the inferior tribunals into the diocesan courts. The qualification of the judges had then occupied his attention, and the remainder of the Bill was occupied in making provisions relative to Church rates and tythes. He had omitted in this measure two matters that some gentlemen might have wished inserted; it was silent on the subject of defamation, because, if the jurisdiction of the ecclesiastical courts were taken away in matters of slander on the Church, they would not be cognizable in our courts of law. All provisions regarding Ireland were also omitted, sir W. Scott professing himself not sufficiently acquainted with the constitution of the consistorial courts there. Under many circumstances of disadvantage he had discharged the task imposed upon him by the House with great diffidence, well aware of the magnitude and importance of the subject: if the House should adopt his Bill, he should feel much pleasure; but if it disapproved of it, he would take leave of it without regret. He moved for leave to bring in a Bill for the better regulation of Ecclesiastical Courts in that part of the United Kingdom called England, and for the more easy collection of Church rates and tythes.

Lord *Folkestone* expressed his satisfaction at seeing the promise of the right hon. and learned gentleman fulfilled: the measure as disclosed met his entire approbation; he lamented only that it had been introduced at so late a period of the session, and that it was brought forward under such ill auspices, when the right hon. and learned gentleman declared that if it were thrown out he should take leave of it without regret.

Sir *W. Scott* explained, and adverted again to the difficulties with which he had had to contend, in separating the ecclesiastical law, when it was so interwoven and united with the very substance of our constitution. He denied that he was indifferent as to the fate of the Bill.

Sir *S. Romilly*, after some observations on the injurious tendency of the jurisdiction in question, said he understood it was not the intention of the right hon. gentleman to extend the provisions of his Bill to Ireland. He supposed that this arose from the difference in the constitution of the spiritual courts in that part of the empire, but he could not help wishing, that a measure which promised to be so generally advantageous, should not be communicated to that country.

Mr. *Tighe* strongly recommended the Bill to be extended to Ireland, where if the spiritual courts were different, the difference was for the worse.

Sir *W. Scott* said a few words in explanation, when it was ordered, that he and the Attorney-General should prepare and bring in the Bill.

Assessed Taxes Bill.] The Chancellor of the Exchequer moved the order of the day for the third reading of the Assessed Taxes Bill. On the question being put from the chair,

Mr. *Westerne* remarked, that nothing had fallen from the right hon. gentleman to diminish his objections to that part of this Bill which went to impose an additional duty on horses employed in agricultural pursuits. He had heard nothing urged in favour of the principle of the Bill, to which he now, as he did on a former occasion, declared his total disapprobation. With these feelings he should propose an Amendment, the purport of which would be, to leave out that clause of the Bill in which the additional duty was proposed to be levied on husbandry horses.

The *Speaker* having remarked, that the question then before the House was for the third reading of the Bill generally, and that the Amendment of the hon. gentleman could not then be proposed with propriety, it was withdrawn, after which the Bill was read, clause by clause, and at the proper season Mr. Westerne moved that the whole of schedule F. No. 2, containing the part to which he had signified his dissent, should be omitted.

Mr. *Brougham* expressed a sincere hope that his right hon. friend, the Chancellor of the Exchequer, if he would allow him so to call him, would agree to some modification of the Bill, so as to meet the objections which had been made to the clause in question. The proposed additional tax would press with particular severity upon the small farmer, the more especially when it was considered that there were many of them, in a bad season, like the present, who were obliged to have recourse to seven or eight pair of horses, when their usual stock did not exceed two pair. He thought some course might be adopted in which the object might be met half way, and signified his intention, in an after stage of the Bill, to move a clause to that effect.

The *Chancellor of the Exchequer* said, that all the inconveniences complained of by the hon. and learned gentleman might be avoided, provided the small farmer, instead of purchasing his additional horses, would hire them. In that case, the additional tax would not affect them.

Mr. *Giles* apprehended that additional hired servants, as well as additional hired horses, would have to pay a tax, but at a mitigated rate. The benefit, therefore, to be derived from the suggestion of the right hon. the Chancellor of the Exchequer, would be of little avail. It had been said, as an argument in favour of the additional tax, that it was extremely small; when, however, it was added to the tax already in existence it became really oppressive. To the principle of this tax altogether he had the strongest objection; and although the House had done wrong by agreeing to its institution, in the first instance, he saw no reason why they should not now make a stand against it, and correct their former mistake. In all events, he thought the addition to the revenue from this objectionable increase of the tax upon husbandry horses would be so small as to render it scarcely worth imposing.

Sir *C. Burrell* suggested, as a mode of obviating the necessity of the proposed tax, to substitute a duty upon hot-houses and green-houses. This, he said, would be laying a tax upon luxury where it would not be felt, and relieve the small farmer from a burden already oppressive, but which, if in any degree increased, would become intolerable.

A division then took place. The numbers were—In favour of the original clause 69; Against it 43; Majority 26.

MR. PALMER'S PER-CENTAGE BILL.] Colonel Palmer moved the third reading of the Per Centage Bill.

Sir *F. Burdett* rose to say a few words respecting some misconception which prevailed relative to the opinions which had been given on the legality of Mr. Palmer's claim, by sir J. Mansfield, lord Erskine, sir Vicary Gibbs, and Mr. Adam. It had been said that the opinion of those eminent lawyers had been formed on *exparte* evidence. This he was prepared to disprove, and to shew that it was delivered on a full review and knowledge of all the circumstances of the case. Here the hon. baronet read an extract from the written opinion of Mr. Palmer's counsel. He acknowledged that there was some part of that gentleman's conduct that was not strictly defensible; but he denied that it could at all affect the question as to the justice of his claim, inasmuch as the conduct alluded to, so far from evincing any want of integrity in his public trust, arose from his impatience at the ignorance of those who were set over him. Lord Walsingham and lord Chesterfield had, nevertheless, greatly to their honour, borne ample testimony to the general merits of Mr. Palmer. There was, likewise, sufficient proof in the great increase of the revenue, of the value and importance of Mr. Palmer's plan—a plan which had required great talents and exertions to carry into execution—an object, however, which Mr. Palmer had successfully accomplished. It was a most unfair principle, then, to assume, because the gain to the public had been enormous, and the per centage to the individual must of course be great, that therefore the House ought to pause before they fulfilled the demands of justice. When he saw sinecures actually increasing in proportion to the increasing distresses of the country, and the House refusing to interfere, on the ground that the gentlemen holding them had a legal right to their possession, he thought it very hard that such an argument should be urged in a case where great actual service had been performed, and where no improvident bargain had been made.

Mr. *Bankes* said a few words in opposition to the Bill, which was read a third time and passed without a division.

HOUSE OF COMMONS.

Tuesday, June 30.

MOTION RESPECTING ONE OF THE JUDGES OF THE PALACE COURT.] Mr. *Lockhart* rose, pursuant to notice, to make his motion respecting the Palace Court. He stated its origin and the jurisdiction allotted to it under Charles 1 and Charles 2.

Its extent was twelve miles round London. Its judges were the lord steward of the houshold, the knight marshal, the steward of the court, and some others. The lord steward had no salary. The knight marshal had a composition in lieu of fees, and the steward of the court a salary arising from fees. In 1811, Mr. Burton Morrice was appointed steward, with this salary, amounting to a sum between 3 and 400*l.* a year. Soon after his appointment, he consulted the prothonotary, (Mr. Crutchley,) about the method of raising his own fees. Mr. Crutchley dissuaded him from any such attempt. No other person was consulted; and in November, to his great surprise, Mr. Morrice put into his hand a rule, purporting that it was expedient, on account of the depreciated value of money, to charge higher fees, and it accordingly directed an increase of the counsellor's fees, raising the five shilling fee to half-a-guinea, and the half-guinea to a guinea. It directed the payment of 1*s.* on each writ to the officer of the court, and extended the 3*s.* 6*d.* fee of the attornies to 6*s.* 8*d.* Though these additions might appear small, yet they were highly objectionable, inasmuch as it was illegal for any judge to alter and increase his own fees. The method of doing it, in this case, was no less derogatory to the character of a judge. He had not consulted with the steward of the houshold, nor the knight marshal, his brother judges, on the subject; but advised with the attornies, whom he was appointed to controul, and instituted an enquiry with them, for the purpose of ascertaining how far the consumption of law might be increased. By this proceeding, he held out a temptation to these officers of the court not to oppose the illegality of his conduct; and the consequence was, that they all, except the prothonotary, returned him thanks for his generosity in the disposal of money not his own. There were six attornies, and four counsel in that court, who must be employed in every issue: and thus, though the fees were small, yet their gains would be great; and in a small action for 4*l.* or 5*l.* the increase of costs would be very great. Persons who might be able to pay 12*l.* might not be able to pay the additional 4*l.* which would be required by this new impost, and might thus be forced to remain in prison. This surely was a regulation not to be tolerated. The prothonotary remonstrated on the subject, and wrote a letter to the judge, in which, perhaps, with some sarcastic expressions, he asked him how he proposed that the newly created fees should be collected, and who was to be appointed to collect this new revenue. The judge wrote an answer, charging Mr. Crutchley with disgraceful ignorance, and expressing the highest indignation at what he called his insolence. He stated, that it was the duty of the prothonotary to make the collection, and that if he did not do it, he should be forced; adding, that unless submission was made, the proposed allowance should be withdrawn, and Mr. Crutchley should perform the directions of the rule without fee. The prothonotary then wrote to the knight marshal (sir James Bland Burgess) inclosing this letter; and the knight marshal wrote to Mr. Burton Morrice. The consequence was, that Mr. Burton Morrice promulgated a new rule, in which he animadverted on the conduct of the knight marshal, for his interference in the business of a court where he never attended to perform his duty: (and this, too, ought to be enquired into,) but agreed to suspend the former rule in part, till some legal discussion should take place. The prothonotary, however, as might perhaps be expected, was no longer an officer of the court, being accused of several petty charges, which were collected together in a body against him, and styled crimes and misdemeanours. The charges were partly frivolous; such as accusing him of erasing a record, when in fact, he had only made an alteration, for the purpose of correctness; and partly such as the judge should have hesitated to punish another for committing, being guilty of the same in a greater degree; namely, taking a larger than the legal fee on a writ. The knight marshal rescinded, the next sitting day, the obnoxious rule, and very properly took the first opportunity of removing what was so prejudicial to the suitors of that court. Notwithstanding this revocation of the rule, the assessor of lord Aylesford, sir James Bland Burgess, and Mr. Burton Morrice, made a rule against Mr. Crutchley. The assessor had not sufficient knowledge of all the facts to enable him to form a proper opinion, the knight marshal expressed himself strongly in favour of Mr. Crutchley, and thus it happened that the person whose vote was to turn the scale against the prothonotary, was Mr. B. Morrice, who became judge of his own cause. The judgment also was given with an extraordinary degree of precipitation. The court usually sat on Friday, but on that occasion it was proposed to adjourn from Friday only to the Tuesday following. The knight marshal objected, and asked the reason of this unusual proceeding? He was answered, that lord Aylesford would go out of office on Tuesday. The knight marshal still objecting, it was answered, they would proceed to judgment immediately, and in consequence sentence of suspension was drawn up with great hurry against Mr. Crutchley. The hon. and learned gentleman submitted to the House, whether the conduct of the judge was justifiable, supposing it to proceed either from ignorance or corrupt motives; and whether it was fitting that poor suitors should be oppressed by the additional fees imposed upon them. He concluded, by moving, "That a Committee be appointed to enquire into the conduct of Burton Morrice, esq., Steward, and one of the Judges of the Palace Court."

Mr. *C. Adams* seconded the motion, declaring that, in his opinion, if there ever was a case which called for the interference of parliament, this was the case.

Sir *C. Burrell* thought when the superior officers of a court of justice were so much at variance as they seemed to have been in the present instance, it was the province of the House to interfere. The officers of the Palace court had already been before the privy council.

Mr. *Raine* strongly vindicated the conduct of Mr. Burton Morrice. Charges of a grave nature ought to be as gravely answered, and he denied the charges as explicitly as they could be made. The charges alluded to against Mr. Crutchley, the prothonotary of the Palace court, had been preferred six months before Mr. Morrice became the judge of that court. If there was one man in the profession incapable of a mean or dishonourable thing, in his idea, it was Mr. Burton Morrice, against whom the present complaint would not have been exhibited that day, had he consented to the restoration of Mr. Crutchley to his situation—a thing which he could not do, consistently with his duty to the public.

Mr. *Leycester* bore testimony to a similar effect, contending, that it was not fair to Mr. Morrice that such a question should be gone into at this period of the session.

Mr. *Rochdale* resisted the appointment of a committee, bearing his testimony to the honourable character of Mr. Morrice. He thought that the matter was rather unfairly brought forward at that late period of the session, when a full enquiry could not be accomplished. If the hon. member would withdraw his motion now, and propose it at a future period, he was certain that Mr. Morrice would court enquiry.

The *Chancellor of the Exchequer* having been a contemporary at the bar with Mr. Morrice, thought it his duty to express the high respect he entertained for his character. He was in favour of enquiry, but not at that late period.

Lord *Castlereagh* had never heard of the case before, but was convinced that no parliamentary ground had been laid for investigation. It was the duty of the House to protect the administration of justice, but it was not to interfere in trifling cases, where no corruption or malversation had been shewn. In his lordship's opinion the whole case originated in inadvertence.

Mr. *Greenhill* warmly opposed the motion.

Mr. *Hume* supported the motion, and thought that those who opposed enquiry were not friends to the learned judge, against whose conduct it was brought forward. No one had denied that irregularities did exist, and these must go on for several months. There was only the opinion of the attorney-general in favour of the proceedings of the learned judge, and there were three against it. Mr. serjeant Best, Mr. Knowles, and Mr. serjeant Shephard, had given their opinions that it was illegal. Five or seven days would be sufficient for the investigation, and he thought the House ought instantly to grant the enquiry.

Mr. *H. Smith* resisted the enquiry, because he thought no sufficient ground was laid for it; and if the matter stood over till next sessions no one could be injured by it.

Mr. *Lockhart* replied shortly, and the gallery was cleared, for a division, but they did not divide. The motion was then negatived.

HOUSE OF LORDS.

Wednesday, July 1.

MARQUIS WELLESLEY'S MOTION RESPECTING THE ROMAN CATHOLICS.] Marquis *Wellesley* spoke to the following effect:

I rise, my lords, to submit to your lordships my promised Resolution, on the subject of the political disabilities to which the Roman Catholics of Great Britain and Ireland are subject. The question has been often agitated, but never fully, maturely, and deliberately considered. The ordinary maxims of state policy, which have been applied to every other subject that has engaged your lordships' attention, have in this instance been violated. The more important any question has been,—the greater and more powerful the body which it concerned,—the more extensive the interests involved in it—so much the more deliberately and attentively and dispassionately has that question been usually investigated: but, in regard to the disabilities to which the Roman Catholic subjects of the empire are subject, this course has been inverted. The respectful claims of that great class of the population of the empire, have been met by passion rather than by reason and sound wisdom; sometimes they have excited terror—sometimes vengeance—at other times contumely and contempt, and in several instances a combination of all those prejudicial feelings operating to exclude from the possession of their legitimate rights, so valuable a portion of the community. In this state of the subject, several persons, greatly to their honour, have distinguished themselves by the most praiseworthy exertions—exertions, which I flatter myself, have not been made in vain. We have before us the treatment of this question, for a long series of ages, under a great variety of vicissitudes, and we have an opportunity of judging and examining the effects which have been produced by the treatment which has been pursued.—It is therefore, for us to consider, whether a regular, plain system, founded on principles which shall embrace all the great objects of state, cannot be devised? It is for us to consider how it can be applied to this great body of subjects? It is for us to deliberate how those, who do not profess the established religion, can be incorporated in the body of the state? This momentous question has always been introduced in a manner the most singular. At one time it was pressed forward, snatching at one circumstance—at another, it was influenced by a different, but as temporary a consideration. I conceive I should be guilty of disrespect to your lordships, were I to designate, as a system, the laws which are sought to be repealed. They are no system—they possess nothing indicative of a system—such a term cannot be applied to them—they cannot be described in that way. We have never had the opportunity of considering this question, as a great whole, which goes to affect the feelings and the interests of a large portion of the people, and to which the common principles of right and justice, which should govern a great state, ought to be applied. The question has been brought into such a state, that different governments, so far from favouring its consideration, have turned their minds aside from it. To assimilate it to the circumstances of private life, various administrations seem to have acted like an individual who knowing that his affairs are embarrassed, and yet, not having resolution enough to face the difficulty, closed his eyes to the prospect before him. They have hesitated to enter into the details of the question, and have left it in an unsettled state, open to every evil that can embarrass and trouble the public mind, open to every evil to which the strange and anomalous condition of the laws on this subject can give rise. Now, then, I ask your lordships, is the time at last come, for the deliberate consideration of this important subject? Is the season at length arrived, when we can apply our minds to the investigation, clear of those accidental circumstances, and distinct from those passions, which at various periods of our history swayed the passing of these regulations? Are those circumstances past, which induced many of us to think delay expedient? Is the time come, when the question is no longer to float on the wings of error, amidst the whirlwind of passion, and in the tempest of foreign war—and are we at last to apply to it the maxims and policy of the constitution? Are we at length to consider how these disabilities accord with the principles of natural justice—with the spirit of the Christian religion; and above all, with that of our reformed religion? Shall we now, then, rescue this momentous subject from the hands of those who may wish to make use of it for the worst of purposes, and rest it upon those solid grounds, and sound principles, which have rendered this country pre-eminent among nations, for arts, arms, liberty, law, government, and religion?

But, my lords, though I have said that these laws do not deserve the name of a regular and well-digested system, I have too much respect for those who may differ from me in opinion, to bring this subject before you in any other manner than in the way of regular deliberation: and I desire your lordships to look at it as you would at any proposition which I might submit to your consideration, respecting any other branch of our constitution. I then ask your lordships whether the system is so perfect in theory,—so beautiful in symmetry,—so sound in principle,—so admirable in frame,—and so strongly and evidently marked with the characters of wisdom, that it must be improper even to take the subject into consideration? I next ask your lordships, whether, supposing the system not to be perfect in theory, (and there are many parts of our constitution which do not rest upon perfection in theory, but upon their advantages in practice), it is so excellent in practice, that you ought not to apply your minds to the question—whether, though the theory is defective, the system has practically a tendency to promote the best interests of the country; to secure its power, its liberty, and the authority and stability even of the Established Church; whether, in short, it is so well calculated to secure those objects for which it was instituted, as still to render it improper to consider the subject at all? There is another point of view, in which I should also wish your lordships to apply your minds to the question:—suppose the theory defective, and the practical consequences in some respects detrimental, is this an evil which must be endured? Is it impossible to get rid of it; or must it be submitted to—as often happens in human affairs—in order to prevent a greater evil? Are the mischiefs arising from the prevalence of the system, less than those which must follow its destruction? I then wish your lordships to enquire, whether the time at which this question is now brought before you,—whether the mode in which I have called your lordships' attention to it,—whether the end of that consideration of the subject which it is the object of my resolution to propose, are altogether so objectionable, as to induce your lordships, on that ground alone, to reject it, though the other propositions should be proved to be favourable to my view of the question?

In stating the subject in this formal manner, a manner not usual with me, and so little calculated to arrest your lordships' attention, I am sensible it may be imagined that I mean to address you at very great length. This, however, I hope will not be the case; but I was anxious to adopt this mode of presenting the question to your lordships, that every peer in the House may see what I consider to be its most important bearings, and have an opportunity of stating his objections distinctly to every point of the subject. With regard, then, to the first proposition—the theoretical perfection of the system—without recurring to ancient times, and all the various causes, as detailed in our history, from which the system originated, and advanced to its present state, I shall only ask your lordships to look at it as it now exists. In England, the Roman Catholics are disabled from voting for members of parliament, and from sitting in parliament; and they are excluded from holding any offices, civil or military. That the conduct of the Roman Catholics of England has for a long time been most exemplary, and conformable to every principle of good government, no one, I presume, will venture to deny. Yet the operation of this system is, to subject the Roman Catholics of England to disabilities from which the Roman Catholics of Ireland are to a certain degree exempt. What, then, is the operation of the system in Ireland? There, while the Catholics are admitted to certain civil offices, they are excluded from the most important. They are admitted to the bar, but disqualified from serving the crown in that profession; and the lower classes of the bar are therefore discontented, I hope not disaffected, but discontented—and that discontent necessarily arises out of the concession itself. It is true there is an act of parliament which in its commencement admits the capacity of the Irish Catholics, on taking certain oaths, to hold any situation; but strange to say, the same act proceeds to exclude them, *eo nomine*, from all offices that be supposed likely to excite the ambition of ardent and honourable minds. The admission to the bar must inspire every English and Irish Catholic with the belief that he is deemed qualified to proceed farther, and yet here he is permitted to advance to a certain extent, and then has the mortification to be stopped in the midst of his career. In the army, the operation of the system is the same. Catholics are allowed to reach a certain point; and when they have attained that, they find an insuperable bar to their farther progress. Such is its effect in a variety of other points. Still, however, more ample concessions have been made to the Irish than to the English Catholics. Your lordships have heard of intemperate speeches, and intemperate conduct, on the part of the Irish Catholics. In considering this question, my lords, as well as others, we are bound to hear, and attend with due regard, to the general sense of the people; but we are not to be dictated to by any other class of men whatever. But I have adverted to this at present, that your lordships may contrast the conduct of the English Catholics with those of Ireland; and can your lordships conceive any thing more grossly impolitic than a system which operates so much more severely upon the English than upon the Irish Catholics; which extends benefits towards one description of individuals, as it should seem in the contemplation of their strength, and withholds those benefits from another description of individuals, whose demeanour so fully entitles them to indulgent consideration?

I next request your lordships to look at this system, as it operates upon Catholics in Scotland; and what I may say upon this subject I advance with the less diffidence, because if I fall into error, I shall be subject to correction. I ask whether, by the law of Scotland, since the year 1793, Catholics are not admissible to all offices, civil and military, in that country? That, I think, will appear to be the case. The fact is, that the English Catholics are subject to all the disabilities imposed by the system, except in as far as it was relaxed by the act of 1791; while the Catholics of Scotland, though precluded from voting for members of parliament, or sitting in parliament, are admissible to every office, civil and military. If the law of that country were examined in regard to this subject, I believe it would appear, that notwithstanding this privilege of the Catholics, they are liable to a prosecution there, for the exercise of their religion. Such is the strange and monstrous anomaly of the system in Scotland. But how has it happened, that with these superior advantages enjoyed by the Catholics, the Established Church in Scotland is still safe? The Catholics surely might have done a great deal in the period that has elapsed since 1793. Even the high commissioner to the Kirk may be a Roman Catholic; though if he happen to engage in the exercise of his religion, in his way to the general assembly, he would render himself liable to a prosecution. How, then, has the establishment of Scotland escaped this danger? How are we not alarmed for the consequences? I have never heard that any ground of apprehension ever existed, or that the Presbyterian or Episcopalian Church of Scotland has been in greater danger, than the Established Church in those parts of the empire in which the system has been preserved in a higher degree of vigour. I am aware that the Catholics of Scotland are small in number; but I wish to see the proof, that the relaxation has inspired them with the desire to overturn the Established Church of that country. Such is the strange, absurd, and monstrous anomaly of this system in regard to England, Scotland, and Ireland. I request of your lordships to look at it in this view, to look at its operation and effects in these respects; and then let any man say whether it is not absolutely necessary that the subject should be examined; and these laws altered and amended, and rendered more conformable to the principles of the constitution. I have next to shew your lordships, that this system is contrary to natural justice. I insist that it is contrary to natural justice to inflict any disability upon any class of men, and to exclude them from the ordinary advantages of the constitution, unless the security of the state necessarily demand the exclusion. I say it is, *prima facie*, a gross injustice, which can be qualified only by the clearest proof of its necessity. It is not only contrary to natural justice, but I contend, it is contrary also to the spirit of the Christian religion, to impose disabilities merely on account of religious opinions; and I say that these disabilities are, in reality, imposed merely on that account. And if this be contrary to the spirit of the Christian religion, still more is it utterly inconsistent with that of our reformed religion, and what I believe in my conscience to be the purest form of worship, that of the Established Church of England. I know what passed at the period of the Reformation, but I speak of the principles of our reformed religion; and these, I maintain, are most adverse to every species of intolerance; and, I say, it is *prima facie* intolerance, to impose any disabilities and exclusions on account of religious opinions. But I go farther, my lords; I maintain that the system was never intended to be permanent; that the incapacities were imposed merely on account of the peculiar circumstances of the times, and that the laws were enforced only from time to time, according to the state of affairs in this country and abroad.

I do not mean here to enter into any details, but I ask your lordships what was the origin of this system? It arose from the jealousies entertained, and justly entertained, at the time of the Reformation, of the intentions of the Catholics, and the power of the Pope. From these causes it originated; and from such, and other circumstances peculiar to the times, it grew, and reached its present state. In the time of James 1, the Popish plot, and the power of the Roman pontiff, excited alarms in the minds of the Protestants, and urged them to circumscribe the power of the Catholics. The events which occurred in the reign of Charles 1, and ended in the overthrow of the monarch, led to a similar policy. At the time of the Restoration, the greatest jealousy was entertained of all those who dissented from the Established Church; and measures were taken against the Dissenters, in which the Catholics were involved. When the policy of the government of Charles 2, his attachment to the Catholics, and his subserviency to France, began to be developed, the Protestants naturally became alarmed for their Established Church, as well as for the liberties of the country; especially when the great power of France at that time was taken into account, and the known determination of the French court to support the Catholic cause. But the penal laws did not flow merely from these considerations. The public mind was kept in a state of perpetual agitation and alarm, by accounts of plots and conspiracies, which, however foolish they now appear, then excited the most serious apprehensions. Under these circumstances, the urgent sense of danger led to additional disabilities, and the severest penalties. At a later period of our history, in the reign of James 2, the same occasional principles produced an extension of the code. James followed up the policy of his brother, with more zeal, and less concealment. The alarm rose to the highest pitch; and hence arose the necessity of providing against a Popish succession to the throne, which the power and policy of the French government, at that time, rendered peculiarly dangerous to the religion and liberties of the country. When William ascended the throne, we know that he was by many considered as too favourable to general toleration—too favourable to the Catholics, and especially to certain officers in his army of that persuasion: and it was not till Louis the 14th, in violation of a treaty of peace, acknowledged the title of the Pretender to the crown of England, that king William, and the great ministers of that time, had recourse to the severe penal laws which were then enacted. My lords, we have frequently heard the names of lord Somers and lord Hardwicke mentioned as the promoters of this system. These, indeed, are great names; but they ought not to be profaned, for the purpose of supporting the infirmities and errors of their successors. We, who say that this system ought to be considered and amended, do not differ from lord Somers and lord Hardwicke; for the circumstances of the times are not the same as those of the times in which lord Somers and lord Hardwicke lived. When lord Somers was favourable to this system, Louis was in the plenitude of his power, and openly supported the cause of the Pretender to the English throne. In addition to this, we must remember, that the accession of William was critical, and, in some respects, not popular. I do not mean to say, that the imposition of these disabilities was just even then; but allowing that they were then just and necessary, it does not follow that they are so now. There was then a Popish Pretender to the crown: the Pope was in the vigour of his authority; there were even in our domestic councils many individuals discontented with the new order of things, and anxiously expectant of the opportunity of throwing off the mask, and declaring in favour of the excluded family. These circumstances excited a general conviction of the necessity of providing additional guards and securities for the religion and liberties of the country; but circumstances are now changed, and the times demand a different policy. In endeavouring, then, to alter the system, I contend that I do not, in any degree, depart from the example of lord Somers. I say the same of lord Hardwicke. What were the circumstances of the times in which he lived? The Pretender to the crown had actually invaded the British dominions; and among the splendid passages of the life of that great luminary of his profession, the manner in which he managed the trials of the peers concerned in that rebellion was not the least distinguished. Are we now under the apprehension of any such danger?—Is there any Pretender to the throne?—Is there any dread of the principles of a Popish Pretender?—Are the circumstances of that, and the present time, in any point similar to each other?—No: they are all completely distinct and different. But, my lords, I go still farther; and I maintain, that the authority of lord Somers and lord Hardwicke, instead of being against us, is directly for us. We have the proof, that these great men did not think the guards and securities then provided applicable to times and circumstances like the present. The guards and securities then provided did not consist entirely of disabilities imposed on the Catholics. They consisted, in a great degree, of certain additions made to the laws of high treason. Many treasons were created, referring solely to the Pretender; and it is not considered as an innovation, I suppose, that these are no longer in existence. It was provided by the 7th of Anne, that the law with respect to the corruption of blood should expire on the death of the Pretender. By the 17th of George 2 this was extended to the death of the sons of the Pretender, farther than that event no alarmist extended his views. Is it not clear, then, that these guards and securities were calculated for the circumstances of the times merely; when it was expressly provided, that they should, in a great measure, cease when the circumstances that gave rise to them no longer existed? This is a distinct recognition, that the provisions were intended by the framers to be merely temporary, and to expire with the occasion. It is evident, then, that the authority of these great men, lords Somers and Hardwicke, is in favour of those who think that this code of disabling laws ought to be revised and corrected.

But the Pope is the instrument of Buonaparté; and we are to dread his influence on our population, through the Pope. What is the history of the Pope? Buonaparté wished to bring all Italy under his iron crown, and the Pope's dominions stood in the way. Buonaparté seized his person, as a preface to the seizure of his rich and valuable temporalities. That Pope, who is to shake the allegiance of Ireland, is now a prisoner of France (where, I do not know); and is there to be found a man who will still say, that the authority of the Pope is capable of producing an evil influence on the mind of the Catholics? I am even informed, that no act of the Pope, in his present situation, would be acknowledged by the Church. I think that his present situation goes directly to extinguish his authority in the Church of every country of Europe. But has his authority been exercised? Has there been an attempt to exercise it? And has there been no temptation to the attempt? Had the authority of the Pope been so extensive and powerful, would not Buonaparté ere this have given us proofs of the advantage which he could derive from such borrowed power? The Pope is in the hands of France; and has there been no temptation to exercise his supposed power in Spain, in Portugal, and above all, in the Spanish colonies? If he had the influence still, who can doubt that it would have been exercised by Buonaparté? The truth is, my lords, Buonaparté was himself well convinced that the power of the Pope was extinguished in consequence of his situation. He knew that any attempt of this nature would in itself be repudiated; he knew it would fall still-born, or otherwise no one can imagine but he would have made the experiment. It was his wish to enjoy the temporal kingdom of the Church of Rome, and to annex the Pope's power unto himself, as far as it regarded the interests of the continent. No greater evidence can shew the extent of his intentions than the council of his own bishops, summoned by himself to Paris. By that act he went directly to abolish the spiritual power of the Pope, and vest it in himself. For these reasons, I am persuaded, no one can reasonably maintain, that the present time is unfavourable to the consideration of this subject, because the power of the Pope may be at the disposal of Buonaparté; for I think nothing more clear, than that while the pontiff remains a prisoner, his authority is not acknowledged by the Catholics. It is therefore no longer to be disputed, that the circumstances I have adverted to should not be a bar to the consideration of this great, this national question. No excuse is at hand to justify the longer continuance of a system inconsistent with the common maxims of the English constitution, inconsistent with the principles of natural justice, with the mild spirit of Christianity, and with the reasons in which it originated. So far, my lords, will my objections apply to the theory of this system; on which I would ask you, whether you can discover in it any symmetry or beauty of perfection? Then let us next direct our attention to the practical effect which it has had in its general consequences.—Has it not inflicted penalties? And when penalties are inflicted on account of religious tenets, may it not justly be termed intolerance? This, my lords, is no other than persecution, for if mankind are, on account of their mode of thinking, to be debarred of civil rights, they are immediately punished with persecution. The consequence is, that discontent must spring up amongst those who are thus treated with intolerance and persecution. But it has been suggested, that the principles which are possessed by Catholics with respect to political subjects are of themselves sufficient to place the Protestant establishment upon its guard against the power of Popery. I shall not detain your lordships by entering into a description of what these sentiments are represented to be, but they have been universally denied by the Catholics; they have been abjured by that religious class in all countries of Europe, and by all the Catholic authorities which are to be found in the present period of the world. But, say those who are adverse to concession, such doctrines were once promulgated by the Council of Trent, and until a power abrogates them similar to that which promulgated them they still exist, and form part of the Catholic faith. But when the late Pope Pius 6 declared his abjuration of these sentiments; when all the learned Catholic universities have renounced them, can there be any reason why a power that does not exist, nor in the present state of the Roman Church, can possibly be created, should alone be adequate to the abjuration of sentiments which have been long denied by the Catholics of all countries? These doctrines were authorised originally by a general council, but that council is not existing to revoke them. They have been disavowed, revoked, and disobeyed by all existing authority. But in the present state of the popedom, a general council cannot be held; thus that renunciation is impossible: and is it for a reason like this that a system of laws so hostile to the spirit of all wise legislation, to the spirit of religion, to the spirit of the constitution, is to be suffered to exist? Is there any thing so excellent in its frame,—so perfect in its symmetry,—so sound in its objects,—as to make it worth our while to sustain it at all its hazards? No: it is all anomaly—all contradiction—all shortsightedness. It gives up what might produce good, and it gives it up for what has produced evil; it leaves open what it might be prudent to shut, it shuts what it is only safe to open. The country is to be ruined by the admission of the Catholic into the civil and military service of the state, This is the point of safety,—and yet in Scotland, this vital point has been quietly given up; and in Scotland the Catholic sees all employments open to him. Is this system to be preserved for its perfection; or are there those who find a beauty in its anomaly?

Are we, my lords, to retain this system in defiance of its strange incongruities, in England, Scotland, and Ireland; relaxing where there might appear some reason for restraint, and imposing restraint where no evil could result from relaxation? or, are all its practical evils so completely compensated for by the beauty and perfection of its theoretical contexture, that we ought not to venture to approach it with the sacrilegious hand of innovation? Assuredly no one will maintain such a proposition. On the other hand, are the practical benefits such as should induce us to bear with the theoretical anomalies and absurdities which it presents? I am aware that sometimes the best effects flow from such anomalies; but is that the case in the present instance?—By no means. On the contrary, they go to inflict sufferings on those who are within the sphere of their operation. Sufferings I repeat. Is not the inability to sit in parliament suffering? Is it not degradation? Is not every privation of the kind by which men are marked out from their fellow-subjects, degradation; and consequently suffering? It is suffering, and still more, it is suffering of the nature of a penalty. Your lordships will recollect, that an inability to hold civil and military offices is inflicted as a penalty for misdemeanours of the highest description committed by public men—If not as a penalty, as what is it inflicted?—and if it is inflicted as a penalty in the one case, how can it be divested of that character in the other? If it is admitted to be a penalty, then I will say, that the Catholics subjected to it are subjected to a penalty of the nature of persecution; for it is too narrow a view to take of persecution, my lords, to hold, that fire and faggot, and the rack are the only ministers which can execute its bidding. This penalty, amounting to persecution, we impose; and the imposition of it we justify by an appeal to the acts of a council, the authority of which is disclaimed by the persecuted. We impose it, however we may seek to disguise or conceal the fact, for religious tenets (formerly connected with tenets of a political nature) abjured by those who are punished for holding them! Has not this conduct on our part produced discontent? Under circumstances such as these, is not discontent natural and to be expected? No one will suspect me of a wish to irritate the public mind. I am far from countenancing or justifying menacing or inflammatory language; but as the hereditary counsellors of the crown, it is our bounden duty, my lords, to examine well the probable effects of any causes of discontent among the people, which we may perceive to exist. If I were to dwell only on the probable ill consequences of the dangerous discontents which now subsist in Ireland, I should make out a case sufficiently strong to entitle me to call for the serious consideration of your lordships; but how vastly must my claim upon your attention be strengthened, when I can safely say that it is impossible that the noxious laws to which those discontents are owing, can continue to operate without giving birth to a train of ills, more terrible than any which the heated imagination of the most horrid and wicked can conjure up! Are we not by delay, with respect to this great question, weakening the national spirit—cramping the national resources—undermining every useful establishment in the country—undermining the very Church establishment, in which we take so much interest, and for which we profess to be so much alarmed? It is impossible that we can wrest from any class of people their civil rights (and an eligibility to civil and military offices is the right of every British subject), in order to secure a Church establishment, without inspiring the injured with a deep aversion to that establishment which is to be upheld and fortified by their privations, and by being made to press on their civil condition; and how shallow and erroneous is the policy which can embody against the Church a numerous and powerful class of the community, who might, by wiser and more lenient treatment, be made to feel their interests connected with her safety, and to stand forth among the most zealous of her supporters! But have those laws which are supposed so essential to the constitution, answered a single object for which they were devised? Their first object was, to bring the Catholic population within the pale of the Protestant Church. Has this succeeded; or must not the body in question be adverse to the Protestant Church upon principle? Is there a discoverable tendency to the end? Is not the result all evil; is it not the fruit of the system, upon pure human principles, to raise a strong hostility against the Church—to lay open the public mind to the enemy; and to raise and foster a spirit, which, if not met by speedy remedy, or softened by the promise of speedy consideration, must go on in a progressive ratio, to those excesses which it will demand all the wisdom and temper of your lordships to meet with success. But it will be worth your lordships while to contrast opposite practices. Has this anomaly of law, which deals out one measure to Ireland, and another to Scotland—has it produced quiet in Ireland, or has it produced in Scotland discontent? No? We have in those two countries a great public principle reduced to practice; and it tells us, that where there is constraint, there is discontent; and where the constraint has been taken away, there is quiet.

Here is a contrast which speaks volumes; which exhibits the practical effects of the system in all their deformity, and clearly proves, that from their removal no evil whatever is likely to proceed. With this, and various other lessons of a similar nature before our eyes, we are to decide, my lords, whether we will renounce or adhere to a system to which we cannot adhere without producing all the evil of which we have been so often and so forcibly warned: but, from the abandonment of which, on the other hand, we may reasonably expect to reap the greatest benefits, without the possibility of their being alloyed by the slightest admixture of evil. Authorities have I know been quoted to prove that no effect is to be expected from the Emancipation of the Catholics, and that discontent will not be appeased in Ireland by that measure. But if it is clear that a portion of the Irish population are suffering under a grievance in the nature of a penalty, is it credible that the removal of that grievance will not mitigate discontent? Again it has been alleged, that this is not the only evil that affects Ireland—and this is made a ground of argument against its removal. Was ever such a maxim before proposed as proper to influence the measures of any government! Is there upon record so prominent an example of human folly as the suggesting of it constitutes! What! Because a community labours under a great variety of grievances, are we cautiously to abstain from diminishing their number? When we have an opportunity of removing that, the pressure of which is most severe, are we to suffer it to subsist because we are unable to remove the rest? Is the fellowship of ills to remain for ever indissoluble? I will not, indeed, pledge myself, that the removal of the disabilities affecting the Catholics will remove all discontent in Ireland, but I can safely assert, that in it would be removed the main cause of discontent. It is a great and a legitimate grievance. It is a grievance which inflames and exasperates every other, whether real or imaginary. It is a grievance of a nature most particularly calculated to gall the pride of the nation by which it is sustained; and for that reason is the more dangerous. The Irish, my lords, are people of a proud and lofty spirit, a people full of sensibility, a people who can as little as any other brook the reflection that they are a degraded race, made subject to a penalty in common with the guilty, and with the guilty only, and this feeling, kept alive in their bosoms, must impart additional bitterness to every other grievance under which they may suffer. To remove all other grievances, permitting the master ill to subsist, would comparatively speaking, be useless, while on the contrary, to open the door here to healing and conciliatory arrangements, would render every other point of dissatisfaction of easy adjustment. I am firmly convinced, that the removal of this will produce the tranquil removal of all the others; and that without the removal of this the removal of all the others would not be felt as a boon. But upon what authority is the nugatory and ineffective nature of Catholic Emancipation supposed? Why that of those unfortunate persons who, for having inflamed the rebellion in Ireland, were rendered amenable to the laws of their country. When they were brought up to be examined before secret committees of the Irish Parliament, these persons certainly did, *una voce*, affirm that emancipation would be ineffectual; but is this authority on which to place any reliance? Is the testimony of persons avowedly concerned in a revolt against the government, of that pure and unsuspicious nature which should bear down all the forcible and obvious reasons in favour of the measure arising out of reflections on the nature of the human heart? "Do whatever else you please," say the conspirators, "but let Catholic Emancipation alone; it is a thing of nought." And what was the context of this honest and judicious advice? Did not every word they uttered seem intended to corrode and inflame the country, and implant in the heart of it the seeds of dissension and discord? Then comes the great question of the safety of the Church: I am convinced, that the Church is in no danger, but from those disabilities. I repeat that it is my sincere opinion, that nothing could impart more strength to the Established Church, than the removal of the disabilities affecting the Catholics. The question is, whether the Church would be more endangered by Catholics being admitted to hold civil and military offices, and to sit in parliament, or, by their being embodied in one mass, rendered solid and compact by persecution, and decidedly hostile on principle to an establishment made the pretext of their sufferings: with every tie severed by which they might have been drawn to amity and affection? This is the real question, my lords, and I will conclude this part of my speech by expressing my conviction, that to decide it on principles of intolerance would be an error in policy, such as can be equalled by few of those errors, to which the misery of nations may be traced. Nothing now remains for me but to make a few observations with respect to the immediate object of my motion, and the time at which I have chosen to bring it forward. With respect to the latter I must observe, that the consideration of the question has been postponed from one period to another, under circumstances satisfactory neither to the complainants, nor to the public. On the 21st of January, when it was brought under the notice of your lordships, I myself objected to the manner in which it was brought forward. In the course of the subsequent discussion on April 23, I stated it as my opinion, that it should not be allowed to lie dormant until the rising feelings of the Irish nation awoke into a tempest of faction. For the warning voice I then raised, subsequent events have shown that there was but too much reason. A spirit of suspicion and jealousy has been excited, unwarranted indeed, but the natural consequence of delayed hope, which the manifestation at that time of any disposition to conciliate would have obviated —most improperly however would that spirit be now made a ground for further resistance. Does it not on the contrary furnish the strongest possible reason to induce parliament to take the question under their own eye; to take it out of hands by which it would be unskilfully managed, I did not mean here, but elsewhere; and not to permit it to float about, a rallying point, as it were, for the multitudinous perils which a question so delicate and so important must naturally collect around it. Let us apply to the subject the wise and wholesome policy of which it is susceptible. We shall have able assistance. We shall have the assistance of the noble earl near me (lord Donoughmore) whose knowledge and experience entitle his opinions to the highest respect, and out of whose hands I pretend not to take this subject, but to whom I shall be happy to render any aid in my power. With respect to my own sincerity, all I desire is, that it may be measured and attested by my future efforts. I have been, I may safely assert, sincere. I am sincere in the persuasion that it is not right or politic that this great question should be left any longer undetermined. I would rescue and redeem it from the enemy. By the word enemy I mean not to describe any person or party in Ireland, but France. I would redeem the question from the hands of France. All that has passed only leads me to think the more decidedly that immediate consideration ought to be given to the claims of the Catholics. (Hear! hear!) My lords, I know the meaning of that cheer; but am I now stating any thing which I did not state on the 23d of April? Did I not then press your lordships to take the subject into immediate consideration? I never, indeed, urged your lordships to do what is impracticable, and at this period of the session it is clearly impossible to propose any thing more than to give a pledge and assurance of your lordships' determination to enter upon the subject early in the next.

But this pledge it appears to me to be incumbent on us to give. Are we to leave this important question in its present state for the interval that may come between the prorogation of the House and its meeting again? Are we to leave it to the mercy of every man who turns his eye upon it? Are we to leave it to the practices of the enemy? If the time, if the mode of the resolution are unsatisfactory to your lordships, am I to conclude that the object of my resolution is so? That object is to secure a final arrangement, satisfactory to all parties; so guarded as to remove discontents, without endangering the rights of any class of his Majesty's subjects. The importance of the subject, the probable effect of concession, the danger of delay, all concur to press this great question upon me, and compel me to call upon you for some pledge of its speedy consideration. Then I, with others, whose assistance I will be happy to claim —and after whom, or with whom, I am ready to take my share in the discussion of this question—will be proud and happy to come forward with those measures, which, by providing for a final arrangement, seem to us most calculated to ensure the happiness and honour of the country. Those measures must not be suffered to linger without a pledge. If they are, let parliament look to the result on the feelings of the country—let them, above all, look to its impression on Ireland—let them look to the consequence of telling any great body of men, that they shall have no place among us; that we have laid up their disabilities in the very temple of the constitution, and made their restraints the palladium of our liberties. I trust in God, that we are now about to bind ourselves to that final arrangement which will amend all—secure all—reconcile all; and I therefore move you, my lords, "That this House will, early in the next session of parliament, take into its most serious consideration the state of the laws affecting his Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of his Majesty's subjects."

Lord *Longford* was of opinion that the fastest friends of the Catholics could not but think that they had proceeded to an unwarrantable length, since the discussions on their application last year; and that their recent conduct had been such as not to entitle them at the present moment to any peculiar indulgence. He objected to the proposal of the noble marquis, that their lordships should pledge themselves to consider the question within any limited period of time. It was not on account of mere religious opinions entertained by the Catholics, that he objected to the concessions they asked; but he objected to the full admission to civil and political power of persons who acknowledged a foreign jurisdiction. In Ireland the case was peculiar, from the numbers of the Catholics, and from the power which Buonaparté might possess over the Pope. It was impossible to say to what degree that power might yet extend. It was allowed by all that the Papal power ought to be confined to spirituals; but he should like to see some line drawn on that subject, that he might say he would go so far, and no farther. There might be Catholics who held different opinions, on material points, from those which they were said to entertain; and it was not certain, that the character of Popery was so much changed as it was said to be. We ought, on all accounts, to wait till we ascertained our securities in the first instance. A regular system of the Roman Catholic religion must have a strong political effect. Not one point whatever should be conceded till our security was known. He was glad to hear it said, that we should take the business into our own hands; for this ought never to have been viewed as a Catholic question, but as a great national consideration, by the result of which the country would be benefited generally, and regarding the circumstances of all sects. As one of the opposers of this question, he disclaimed the justice of all the epithets of intolerance, prejudice and bigotry, which had been applied to them: and at the same time, he would not scruple to avow his desire to secure the established Protestant Church in Ireland, which they had received from their ancestors, and which was now in strict union with the Church of England. He could not understand the charge of bigotry and intolerance against the Protestants. He was far from meaning that he would for ever shut the door against the Catholics, though he did not think the present circumstances justified the opening of it. Events might occur which would render it safe and expedient; it might be much more so next year than at present. He had only to repeat, that his objections were not on a religious, but on a political ground.

The *Lord Chancellor* thought it his duty, thus early in the debate, to offer to their lordships his sentiments on a subject of such vital importance to the civil and religious liberties of the empire. Because he stated his opinion on this subject; even were he to stand alone in that opinion—he denied the right of any man to question his sincerity. There was no wish nearer his heart than to be convinced that he was wrong. If he could be convinced of that, he would, without hesitation, vote for the Resolution proposed by the noble marquis; but conceiving as he did, that he was right, and that those who were of a different opinion were wrong, the noble marquis must excuse him, and indeed would, no doubt, applaud him, for going to the utmost length in opposition to that motion. The noble marquis justly expressed his persuasion that there could be difference of opinion as to the desirable nature of the objects which the Resolution professed itself calculated to attain. Oh, that they could be accomplished! Oh, that their lordships could come to some determination on this subject, "satisfactory to all classes of his Majesty's subjects!" He believed from his soul that the noble marquis entertained the best intentions, but it was for their lordships that night closely to examine, and conscientiously to decide upon the probability, or rather the possibility, that the adoption of the noble marquis's Resolution would be "satisfactory to all classes of his Majesty's subjects." He trusted that he should not be branded with intolerance and bigotry, if he expresssed himself in the language of all the statutes on the subject, or if he maintained that to agree to the question in dispute would be to alter the whole system of law which since the Revolution had been established in this Protestant, and he trusted not the less Protestant, for being the United Kingdom. There had been great men, certainly not chargeable with bigotry and intolerance, who had thought it of some importance that the religion in which they had been educated, and which he, it might be erroneously, could not help considering the purest in the world, ought to be favoured by the state in a higher degree than any other religion. It certainly shocked him to see the descendants of those great men, to see the descendants of a Hardwicke and a Somers, act so oppositely to the principles of their ancestors. They must pardon him, but he could not refrain from expressing his regret at this circumstance. Adverting to the general question before their lordships, he observed that from the year 1800 to the present period, he and those who thought with him on the present subject—the humble advocates of the civil and religious liberties of their country (liberties fostered by the Church Establishment, so closely connected with that of the state)—had never ceased to request those, who proposed an alteration in the existing state of things, to state distinctly what it was they meant to do? He now asked the noble marquis, in that language of respect which it was as becoming him to use as the noble marquis to hear, what it was that he meant to do? What did the noble marquis propose? Consideration? Did not all the noble marquis's arguments go to establish the necessity not of consideration only, but of absolute concession? During the last debate on this subject, he (the Lord Chancellor) had got up to protest against the imputations which had been thrown out against him in that House and in other places, that he was an enemy to the Catholic claims. He was no enemy to the just claims, if they could be entertained consistently with the public welfare, of any class of his Majesty's subjects. But holding the high situation which he had the honour to hold, he should think himself the most culpable and criminal of beings if he consented to the sacrifice of any guard which, in his opinion, was indispensable to the security of the Church and State. He repeated what he had said in his last speech, that nothing on earth should induce him, contrary to his sound discretion as a legislator, to pledge himself to the consideration of a subject, which, even if it appeared fit to be discussed when the proposition was originally made, might, by the intervention of various circumstances, become not fit to be discussed at the period to which the proposition referred. According to the avowal of the noble marquis himself, the events of five or six months might produce a very great change in the propriety or impropriety of any discussion. For instance, at the end of the session of 1811, parliament had heard nothing of the convention in Ireland; they had heard nothing of the measures adopted in consequence, on the legality or illegality of which he would now say nothing, except that the Irish lawyers and the Irish debaters elsewhere, had no right to inform the public that he allowed those measures to be illegal, because he had not contradicted lord Erskine on the subject. The fact was, that he thought it became neither his noble or learned friend, nor himself, to say one word on that subject, pending a legal consideration, and when it might be ultimately submitted to the decision of their lordships. But he remonstrated against being concluded unfavourable to the legality of those measures, because he had conscientiously abstained from expressing his sentiments on them. He confessed that he was shocked at the opinions delivered by the noble marquis, fighting side by side with him as that noble marquis had done at the commencement of the present session. He had not heard much of the noble marquis's opinions on this subject before. If he were pushed, he would say, that he had entertained little suspicion that such opinions existed in the noble marquis's mind. At the time when the noble marquis stated in that House, that if the legislature ever gave way to menace, there was an end to free and uncontrolled discussion, the noble marquis and he voted together. The noble marquis was now, it would appear, of a different opinion; and yet the circumstances were the same, or rather, they were much stronger. One would have thought that similar circumstances would have led to a similar conclusion. He knew that the resolutions of the late aggregate meeting of Catholics were not a parliamentary document, to which a regular reference could be made; but it was nevertheless, impossible that the legislature could blind themselves to what had occurred. At the same time he begged that his vote of that night might not conclude him on the subject in the next session of parliament. What he contended for was, that no man ought to pledge himself to some future course of proceeding; that when the season of action arrived, he should do that, which, under all the circumstances of the case, it appeared to him was right to do. Reverting to the resolutions of the aggregate meeting of the Catholics of Ireland, he asked those who had read the papers in which they were contained, if they ever met with a more scandalous or a more infamous publication, containing as it did, the most unwarranted censure on the legislature; and on the illustrious person, holding in the place of the King, the office of sovereignty in this country. A more criminal production had never appeared. He owed it in justice to those who voted the resolutions to say, that he believed they were surprised into them. With respect to the motion itself, he had listened with the greatest attention to what the noble marquis proposed, and to the *bona fide* consideration, with reference to *bona fide* concession, as far as concession ought to be made, he was not only a friend, but so far a friend, as to believe that no man consistently with his public duty, would be an enemy to it. The noble marquis had asked them to shew him the danger, but was he in this Protestant country to be called upon to shew the danger of subverting the Protestant establishment? Every where in our statute books they would find the security of the Protestant religion provided for, not merely with reference to religion, not because we quarrelled with the religion of the Catholics, but because their religious opinions operated on their political principles in such a way as to render it necessary to adopt some defence against them. It had been said, that the regulations of which the Catholics complained were called for by the particular occasion; but the ancestor of a noble lord had emphatically cautioned them, that if they permitted their religious establishment to be broken in upon, the effect would be injurious to their civil rights. This was the general principle upon which their ancestors had proceeded. But it was contended that the Catholics regarded their oaths. He did not deny that they did so; but there was no oath which met the case, or afforded an adequate security. As to the distinction drawn in their favour between spiritual and temporal jurisdiction, it was a distinction in itself obscure and liable to great confusion; and one thing we might depend upon in looking at this subject, that a great deal of that which we should call temporal, they would call spiritual power. The authority of Blackstone, which was quoted so frequently in favour of unqualified concession, if quoted impartially, would go to a modification of the provisions against the Roman Catholics, bnt no further than a modification, so long as they acknowledged a foreign sovereign in spiritual or in temporal matters. He would next beg leave to direct the attention of their lordships to what had been done for the Catholics since the Revolution. We had proceeded from month to month, and from day to day, in concessions consistent with the spirit of our constitution, and guarded by that cautious policy which ought to regulate such proceedings. If the present motion was carried, and it meant not consideration but concession, he and the noble marquis might shake hands together, but as he hoped for God's mercy, he did not think he should be living under the same constitution as hitherto. Feeling the weight of all those objections strongly pressing on his mind, it was his intention to conclude with a motion, upon which he should divide the House if he were to stand alone. As the noble marquis and he had agreed on a former occasion, that they could not vote for concession under the existing circumstances, so he (the Lord Chancellor,) under similar circumstances, could not vote for the motion of the noble marquis. He should sit down, after giving notice to their lordships that he meant to move the previous question.

The Earl of *Hardwicke* declared, that he should not have pressed himself at all upon their lordships' attention, during this debate, but for the very pointed manner in which he had been contrasted with his venerated ancestor. It was not for him to state the opinions of the high characters to which the noble lord alluded, but if he knew any thing of their recorded sentiments, he thought he could venture to state, that if either lord Somers or lord chancellor Hardwicke were alive now, they would hold opinions on the present question very different, indeed, from those which had been expressed by the present chancellor. The noble and learned lord had said, that he was shocked at the change which had taken place in the minds of noble lords on the subject. He should retort his own expression upon the noble and learned lord, and would say that he was really shocked at the manner in which he had opposed the motion of the noble marquis. He was astonished to hear, on a serious question like the present, arguments so futile, and reasons so utterly void of every thing but folly, as those used by the noble and learned lord. It was not his intention to enter on the subject at large, but he could not help saying, that he never heard a motion better worded, better supported, or better calculated to conciliate all parties, in his life. After the concessions already made to the Catholics, the lord chancellor of England never should have permitted himself to say, that he would be shocked at seeing a Roman Catholic practising in the court of Chancery. It was his lot to have seen Ireland in 1781, previously to the concessions to the Catholics. He saw Ireland also recently, and he could take upon himself to say, that the improved state of that country,—the progressive amelioration of its condition,—were owing eminently, if not altogether, to those concessions. He would contend, that those, who, like the noble and learned lord, argued for shutting the doors entirely against the Catholics, must adopt the alternative different from conciliation, that of extermination. They must either conciliate or exterminate, he repeated. This was what was said also by that able statesman, whom he himself had succeeded in the government of Ireland. He did not wish to betray secrets, nor to quote from documents which ought not to be quoted from; but he thought it his duty to say, that the recorded expressions of lord Cornwallis, after the Union, were, "that it was absolutely necessary for his Majesty's government to consider the state of the laws, as they affected the Roman Catholics, with a view to their repeal: or that his Majesty's government should at once say, that those Roman Catholics ought to be destroyed." These were lord Cornwallis's expressions, and let the noble and learned lord apply them as he should think fit. As he had risen for no other purpose, but to take notice of the expression which had fallen from the noble and learned lord, in comparing his sentiments with those of his ancestor, he should not trouble their lordships farther; but at parting he begged to say, that it would have been just as consistent with sound sense, and serious argument, for the noble and learned lord to have contested that his ancestor, who in 1746 spoke for a supply of negroes for the West Indies, would, if he were now alive, argue in favour of the slave trade, as to say, that he would now vote against concession to the Catholics.

The Earl of *Clancarty* said, that if the speech of the noble marquis proved any thing, it proved too much; for his arguments went altogether to unqualified concession. The unconditional repeal of all the test laws as affecting the Roman Catholics, was a proposition to which he was not prepared to assent. He would venture to say, that the Catholics themselves never dreamed of such concession. Did they expect it when their nine bishops agreed to the principle of the Veto in 1799? Was unqualified concession expected, when it was understood that one of the stipulations for emancipation in 1799 was the abolition of the regular clergy? So much for unqualified concession. As to the question before their lordships, he was of opinion, that whenever it should be considered right to take it up, the Catholics of Ireland ought rather to aid than to thwart the endeavours of the government. It would be extremely desirable that they should aside the tone which they had lately adopted, and assume one of conciliation. Violence, they might depend on it, would retard their cause instead of advancing it. But though those who wished to bring the Catholics to a better tone and temper had failed, it was quite impossible, in his opinion, that things could remain as they were. It was, he conceived, the duty of parliament to examine this great question to the bottom. Although the Catholic mind, (he meant the Catholic mind of Ireland, not of England) was not likely to coalesce with the legislature in the consideration of it, it was the duty of parliament even alone to take it up. He passed a warm panegyric on the Catholics of England, and expressed his hope that whenever the question should be entertained by government, those securities and barriers for the safety of the established Church, which on a former occasion he had detailed, would be taken into the earliest consideration. Any assistance which he could give in the progress of the measure he should be most happy to afford.

His Royal Highness the Duke of **Sussex** said, that the very ample detail of his opinions on this subject which he had given on a former occasion, rendered it unnecessary for him to trouble their lordships with a repetition of that detail; but after what had fallen from the noble and learned lord on the woolsack, he found it impossible not to make a short and conscientious effort to counteract the tendency of those sentiments to which the noble and learned lord had given utterance. He hoped that he would be believed by the country, and by their lordships, when he said he felt as great anxiety for the support of our establishments in Church and State, as the noble and learned lord, though he differed from him most widely in the manner of that support. As he had just said, his opinion on the present subject was long since made up; but he should not do justice to the noble marquis, if he did not express his satisfaction at the splendid exertion with which the noble marquis had that night confirmed his opinion—with which he had strengthened his conviction. The question now came before their lordships in somewhat of a different shape and form from those in which it even lately appeared. Its position, relative to external considerations, was much altered for the better. When it was last before the House, various difficulties existed, and various opinions were held, which were now overcome or abandoned. No man, with the events of the last six weeks in his eye, could say, that a very considerable change had not taken place in the features of the Catholic question. It was of course in the recollection of the House, that within the last six weeks two attempts had been made at the formation of a new administration, the basis of both which attempts was the conciliation of the Catholics. One of the noble lords, (his noble friend earl Moira), who was commissioned to make one of those attempts, was so convinced of the necessity of conciliation, that he might well conclude how favourable to the Catholics were the sentiments of the illustrious person who gave his noble friend that commission. Another alteration in the position of the question was, the resolution passed elsewhere; and much, indeed, did he hope, that the decision of this night would leave no cause for dis-union with those who passed that resolution. What, then, was the present state of the question? It was singly and nakedly this,—whether the restrictions which degraded the Catholic below his Protestant fellow-subject should now be done away? Whether parliament should now, by one great act of legislative wisdom, and national generosity, unite all classes of his Majesty's subjects in defence of the common rights of their common country against the common enemy. Would this, and he put it to the noble and learned lord on the woolsack, be pulling down the barriers of the state? Would it not, on the contrary, be rearing up impregnable bulwarks for its protection? It was said that the Catholics had already got much. They had got much; and it should not be forgotten, too, that all they had obtained was in the reign of his present Majesty. But in his opinion, the concessions hitherto made were arguments for extending them. They were additional motives to conciliation. He had said, that whatever the Roman Catholics got, was in the reign of his present Majesty? Yes, in the 11th and 12th of his reign it was, that the situation of the Catholics was first taken into consideration. Then it was, that for the first time the Catholics were permitted, in their own country, to be possessors of fifty acres of bog land for a term of 61 years, together with half an acre of arable land, provided that half acre was not within a mile of a town! This concession was followed by that of 1778, which gave to the Catholics the power of taking leases for 999 years; and by that of 1782, which put the Catholic on the same footing with the Protestant, not in a political light, but as to the purchase and disposal of land. In 1793, the right of election was vested in the Catholics, that right, of which they had been deprived since the first or second year of George 2. Did any of their lordships expect to keep the Catholics stationary in the situation, to which, by progressive enactments, they had thus been raised? In his notion of this free constitution, he understood, that under it there was a natural connection between property and power. The Catholics were permitted to acquire property; and power must follow it. Any attempt to separate power from property, or to keep them, when in existence, from uniting, would, he was convinced, not only disturb the tranquillity, but would endanger the stability of the state. It would have been better never to have granted any thing to the Catholics, than thus to stop short, and erect for ever a barrier against their claims. He begged the House not to discourage the arduous and honest efforts which the Catholics were making for their freedom; which a virtuous, and, he would say, an illustrious portion of the people of this empire, were making for the obtainment of a most praiseworthy and glorious object. If the House acted so unwise a part, the natural consequence would be, that those arduous efforts would be turned into another channel, and might, in their effect, be as destructive to the commonwealth, as inimical, undoubtedly, to the Catholics themselves. He was led to these remarks by a paper which he held in his hand, in which it was stated, and he believed fairly stated, that not less than 7,000 places were, by the operation of the existing penal laws, shut up from the Catholics. When it was considered that they were excluded from all rank in the army above the situation of a colonel; and that they were only allowed to fill the lowest situations at the bar, it was not be wondered that some degree of impatience and irritation should be felt by them. He wished, however, to impress on the minds of the Irish, that there were individuals in the legislature who knew and felt for the difficulties under which they laboured, and who would endeavour to bring about some relief to them, so long as they showed by their conduct that they merited it. He deplored, therefore, that any thing like violence should have been mingled in the conduct of the Catholics. They had given expression to sentiments, which he must blame, and which must injure instead of serving their good cause: but these sentiments he thought ought not to be taken as the opinions of the whole Catholic body. He should vote in favour of the motion.

The Earl of *Harrowby* said, that the conviction which had long existed in his mind, and which he knew to exist in the minds of several eminent and enlightened men, had naturally led him to reconsider the impressions he had received, and he confessed that every re-consideration only served to strengthen him in the doubts he entertained, whether it was for the general advantage that things should remain in Ireland in that strange and anomalous state in which they were placed at the Union. It was true, that at that period, no pledge had been given to the Roman Catholics, nor had they any right to suppose that the highly probable effect of that measure would be emancipation; but they had been told distinctly and truly, that the question would meet a fair and adequate consideration in the United Parliament. Understanding that to be the case, he never could be led to think, that they had a right to turn round upon the Catholics with the plea that the Union was a bar to their claims, because they were found, at that time, in a state of disqualification. It would be useless to recapitulate the obstacles which had interposed since the Union—they were such as had weighed on the minds of persons of great authority in both countries, which had received their due reverence from parliament, and which had prevented the discussion of the Catholic claims. It was sufficient to say, that the present session was the first moment at which he thought they were at liberty to consider this important question with a view to any practical result. Some objections, it must be confessed, still remained, but they were not sufficiently strong to counterbalance the opposite considerations, and he trusted that those instances of open and direct violation of the law, which were applicable to the most dangerous purposes, might not again occur. He had seen, indeed, some Resolutions of a recent date, with much regret, for he considered them in a great measure as unfounded and unwarrantable. He lamented the tone in which those Resolutions were conceived, and, if he thought they were the result of the calm sense of the Catholic body, he confessed he could see but little hope for them of the attainment of their object. He could not forget, however, the circumstances under which those Resolutions were passed—they were circumstances of considerable disappointment and irritation, and might, therefore, have naturally, though not justifiably, have given rise to the intemperance of expression so conspicuous in them; and he was rather inclined to take this sensibility of feeling as an earnest of a better temper and tone of conduct, under different circumstances, than as a proof of a contrary spirit. He saw, by the votes in another place, that the proceedings he alluded to had no effect upon their decision, and he hoped that a similar result would be witnessed in their lordships' House. He did not mention the decision in any other place as a rule for that which their lordships should adopt, and which must rest upon the views they took of the question; on the contrary, he knew that in every session they rejected Bills which had been passed in the other House; but this was a case of a dissimilar nature—it was not a Bill, it was not a proposal of any measure, but it was a proposal to take into consideration an extensive system of measures. To those, who thought that all was to be granted without any condition—to those, who thought that all was to be granted, but with restrictions—to those who were advocates for a partial concession conditionally—or those, again, who advocated partial but unconditional concession—to all those it would be unnecessary to urge the propriety of taking the whole subject into their consideration, with a view to place the Catholics in a state of tranquillity. It was only those who thought that nothing should be granted—who felt that enquiry itself was a great evil, because it excited hopes which were likely to be disappointed—it was only those persons who were bound to vote against the motion. In his opinion enquiry must take place. The only question was, whether they would diminish the evils which existed; or rather, whether they would turn them into sources of good? He would ask those who were against the consideration of the Catholic claims, whether it was possible, after the professed and declared opinion of a large portion of the Protestants of Ireland, to decide the question in a summary manner? Was it possible that the Catholics could ever feel satisfied, unless they were at least convinced, that their claims had undergone a full and deliberate discussion; and that they were not rejected from any party heat, or principle of bigotry? Could the Protestants themselves be satisfied at such claims being rejected without the fullest argument? The object which was principally to be desired, was general conciliation; and he did not know how that object could possibly be obtained, unless by full and temperate discussion. If the granting the claims was to be a mere matter of triumph to the Catholics, or the withholding them a mere matter of triumph to the Protestants, the decision could do no good in either case, as no conciliation would be effected. As to the final success of the measure, much would depend upon the councils and influence of those who looked at this question with a view of conciliation. With respect to securities, his opinion was, that the greatest security would be the general union that concession would produce. He trusted, that in the interval between this and the beginning of the next session, the question would be well considered; and with that hope he should support the present motion.

His Royal Highness the Duke of KENT could not avoid expressing his most anxious and warm wishes, that when this subject should come into discussion, it might not be considered so much a Catholic question as a conciliatory question. Having been educated in the principles of the established religion, he naturally felt a strong predilection in its favour, and there was no consideration which attached him more to it, than his firm belief, that there was no religion more liberal and tolerant in its spirit. If he really thought that there was any chance of the established religion being subverted, by entering into a discussion of the Catholic claims, he would be the last man to vote for the discussion. It appeared to him, however, generally, that those civil rights which were claimed by the Catholics, were rights which all the subjects living under the British constitution might naturally conceive themselves entitled to. In granting those rights, he should certainly wish, that care might be taken to guard and protect the established religion. What guards and securities might be supposed necessary, would be more properly considered, if the House resolved to examine the subject. While he was ready to express his warmest wishes for a conciliatory arrangement, he could not avoid declaring his sincere regret at some of the resolutions which had been lately passed in Ireland. The leading men of that class from which those resolutions proceeded, had hitherto conducted themselves with the greatest temper and moderation. He would leave it to the liberality of the House, whether it was not probable, that those resolutions proceeded from the sudden ebullition and heat of a few wild heads; and that they were not the sober and deliberate expressions of those men who had always before conducted themselves with the utmost prudence and propriety. He was favourable to the present question, as considering it the first general question which went to the amelioration of Ireland. He thought that the situation of the lower classes of the community in that part of the United Kingdom, had long and loudly called for legislative relief; and he hoped, that the present question would be followed by the proposal of other measures for remedying the grievances under which the poor of Ireland now labour. With this view, as well as that of conciliation, he now, for the first time, expressed the sentiments which he had long entertained on the subject; and he felt happy in supporting the motion of the noble marquis.

The Archbishop of *Canterbury* observed, that the noble earl (Harrowby) had laid it down that those, who were for a general or partial concession to the Catholics, must, of necessity, vote for the present motion, and that those who would shut the door upon the Catholics could alone oppose it. That, however, was not his case. If he thought that there were no means of consideration except that which was now suggested, he should say, in that awkward dilemma, let us adopt the motion—but when he reflected that whether it was adopted or not, the subject must be discussed in the next session, he no longer saw the necessity of adopting it. If the motion was intended to give all that the Catholics demanded, then was it not only useless, but mischievous; and, on the other hand, if no more was intended than was expressed, it still was useless; for it pledged the legislature to nothing.

Lord *Ellenborough* was at a loss to account for the new light which appeared to have broken in upon parliament on this question. A very new and extraordinary illumination had lately burst upon the minds of some noble lords in that House. The noble marquis had seen this new light,—this day-star,—since the 30th of last January. Until that time, he must class himself among the persecutors. Before he was converted, he might say as the apostle of the Gentiles, who had been present at the martyrdom of Stephen, that though he himself had not stoned him with stones, yet he was consenting to it, and took care of the young men's clothes who stoned him. The noble marquis, however, had not given the House his reasons for this sudden conversion. A noble earl had also seen this new light, and was now in favour of the motion, although he had formerly resisted all approach to concession. As for himself, he was a man of plain and simple habits, and loved consistency and truth above all things. As to his noble friends near him, (lords Grey and Grenville), they had been consistent throughout in their opinions, and had evinced their sincerity by the sacrifice of office and power, to those opinions which they had so long and so ably maintained. But the conduct of the noble lords who now espoused the cause of the Catholics, for the first time, was very different indeed. Why, the proposition which they were now supporting was a hundred times more dangerous to the religious establishments of the country, than the measure proposed by the council of which he was a part, though he did not approve of their opinions on the subject of the Catholics. Yet for that measure they had been held up to the country as the enemies of the religious establishments of the country, by those very men who were now supporting a much stronger proceeding, and all the while laying claim to consistency of character.—God forbid that any other conduct than that of conciliation should be adopted towards the Catholics; but he hoped that the staff of power would not be given away, till it was ascertained that it might not be wanted for the defence of the Protestant religion. As to considering the laws which pressed too severely on the Catholics, he believed that any man of good understanding, would be able in a day, or in a few hours, to point out what immediately required repeal. He never could, however, bring himself to look upon the Roman Catholics in the same light as the Protestant Dissenters. When he considered the foreign allegiance to which the Catholics were bound, the degraded state in which the head of the Church of Rome was at present, that he was the creature of the power, and the victim of the despotism of the enemy of Europe, he could not free himself from the difficulty impressed on his mind with respect to any unqualified admission of the Catholics into the constitution. He wished concession and security to go hand in hand; and he must therefore oppose the present motion.

Lord *Holland* would not enter into all the details of the question now before the House; but he should not act with satisfaction to himself if he did not take that opportunity of expressing the pleasure he felt at the great and favourable progress which the question had made since it had been first introduced to their lordships' attention; and if he did not express his unqualified adherence to all the opinions he had formerly entertained on the subject. With the sentiments delivered by the noble marquis who introduced the question he entirely concurred; but he certainly could not avoid entertaining very different feelings with respect to the speech of the noble and learned lord on the woolsack, which in his opinion was one of the most extraordinary speeches delivered by any noble and learned lord, or by any lord in any assembly. They had heard two learned lords deliver their opinions that night, from whom it was natural to expect that some light would have been thrown on the question. He certainly expected they would have stated how these laws which oppressed the Catholics were so interwoven with the constitution, as to render any alteration of them dangerous to it. Instead of this, however, they had chosen only to dwell on personalities, and to reflect on the conduct of certain individuals in the House. What did the whole speech of the noble and learned lord on the woolsack consist of but empty assertions? His whole argument amounted to this, and to nothing more, "You do not state what the securities are which are to be granted." With respect to the charge of inconsistency brought by the noble and learned lord (Ellenborough), against the noble marquis, the noble marquis was perfectly able to defend his own consistency; but he must say, that he thought there never was an accusation brought forward with less foundation in truth; for the noble marquis, at the period alluded to, did expressly state as the reason why he could not accede to the motion then made by a noble earl (Fitzwilliam), that the Catholic Claims were connected in that motion with other considerations of a very different nature. The noble and learned lord on the woolsack had professed as a reason why he had abstained from delivering an opinion on the legality or illegality of the Convention of the Catholic Delegates, that he remembered he was lord chancellor of England, and that as he had both a legislative and a judicial voice, he thought it unfair to say a word on the subject, both while the question was under legal discussion, and now that it was determined. The noble and learned lord seemed to forget, that every peer in that House was precisely in the same situation with himself in that respect; and he would not admit, that he had a stronger vote than the meanest peer in it. Unless the noble and learned lord arrogated more dignity to his situation than what belonged to it, he thought he had so far made a most unfortunate speech. But let them look to the noble and learned lord's own conduct, and see how far it was consistent with this declaration. He who, a moment before, appeared so scrupulous about delivering an opinion of the Convention, had no hesitation in taking a paper out of his pocket, and pronouncing it a criminal production. The Lord High Chancellor of England thought proper to say, "this is a criminal document, and fit for prosecution." The usual acuteness of the noble and learned lord seemed altogether to have deserted him on this question. His feelings were so strong that they seemed to have got the better both of his arguments and of his discretion. Had he been of the opinion which that noble and learned lord professed; had he thought the entertainment of the Catholic Claims would endanger the most sacred establishments of the country, he certainly should not have concluded, as that noble and learned lord did, with moving the previous question. The noble and learned lord who told them that, to accede to this motion, would be to break down the barriers of the constitution; that concession would not only break down, but subvert the constitution, proceeded afterwards to talk of leaving the door open to *bona fide* concessions which might be afterwards made—with what consistency he would leave their lordships to judge. Without following the noble and learned lord through his details, he would just ask him what he thought of the reign of Elizabeth? When in the parliament of Ireland, consisting at that time of 232 members, of whom 100 were Catholics, did these Catholics, he would ask, attempt to subvert the constitution? With respect to the former act of the 23d of Charles 2, one would suppose that this act so important in its consequences, would not have been passed till after grave and due deliberation. Quite the contrary. It was passed in a moment of delusion, by persons who believed, or who pretended to believe, in the account given by Titus Oates of a Popish plot. It was the work of a man whose conduct, though the praise of ability was not to be denied him, was on that occasion highly censurable (lord Shaftesbury); and yet this momentary ebullition, this effect of a transient delusion, was now held up as a fundamental part of the constitution.

Whatever vigorous statutes might have been enacted in former times against the Roman Catholics, they originated in the perturbed and angry spirit of the moment, and ought never to be relied upon or referred to as grave authority, to influence their deliberations upon the question then before them. Among the tests at that time proposed there was one called the bishop's test; by which those who took it were bound "not to alter any existing law, either in Church or State." Lord Walsingham had taken an active part in the passing of some of these statutes; but could they forget the sort of feeling with which that noble lord had come to the discussion of those measures, even in those days, when he was known to declare, that he would not have a Popish man, a Popish woman, a Popish dog, nay, not a Popish cat, admitted within the pale of the Protestant constitution; and yet this was one of the acts which the noble and learned lord on the woolsack had held up to general veneration, as one of the pillars of the constitution. He regretted to have heard from that noble and learned lord some expressions that might excite the suspicion that he was disposed to wish for the revival of that exploded system. He (lord H.) called upon their lordships to say, if they were thus to be required to undo all that the silent operation of time had as yet done in wearing away the prejudices which had hitherto kept one part of the empire divided against the remainder? Was there one noble lord who would say, that the Catholic held any opinion hostile to the state? And if he did not, why should he be proscribed from the enjoyment of those privileges and blessings to the maintenance and security of which he so largely contributes? But he would confidently ask those who thought that the Catholics could not be safely entrusted with political power, why they had received so much? This argument, if it proved any thing, proved too much, and instead of shewing that they granted enough, proved that they had granted more than enough. They, therefore, who rested upon such an argument could not say that the concessions which had been hitherto made were wisely made. Let, however, the Catholics speak their own opinions—What had they repeatedly and solemnly declared? That they considered as impious and abominable the alleged doctrine of Catholics not being bound to keep faith with heretics. A variety of similar declarations had been made on the part of the Catholic body; not merely denying those doctrines, but giving them as hard names as language could well supply to virtuous indignation. Here he could not help adverting to an old and favourite argument with the noble and learned lord on the woolsack—"I am not," exclaimed that noble and learned lord, "I am not, nor do I pretend to be wiser or more able than such men as lord Somers and Hardwicke." He (lord Holland) did not pronounce himself wiser than either of these great men, when he voted as he did; but he contended for it that he had the advantage of them in the wisdom and spirit of the times in which he lived; if he did not make right use of that advantage the fault was not in the materials. But to what an extent might not an argument of this kind reach? They might erect upon it a barrier not for the constitution and the Church, but for ignorance, for bigotry of every kind, and against the improvement of mankind. What! did he pronounce himself a greater astronomer than Descartes, when he, now under the tuition of other times and other masters, was led to believe that his system of vortices was a system of error? Was he professing himself wiser than the renowned astronomer of Sweden, when he differed from Tycho Brahe in his notions of the solar system? No—he was merely giving, in his individual capacity, another testimony to the general diffusion of knowledge and the correction of error. Or to refer to instances perhaps more analogous, no man would pretend to be more pious than the conscientious sir Thomas More; and yet no man was justly chargeable with the affectation of greater talent than sir Thomas More because he differed from him, in certain doctrinal points. Was all learning and human improvement to stand still, because great men in former ages had not advanced as far as the present age? This argument was most unfair, but was always brought up for want of a better, to defend ancient errors. It had been often asserted that deprivation of civil rights was no injury; and that it was only withholding political power. He hoped, however, that the value of their civil rights was so generally known and felt by every Englishman, that this argument would no longer be listened to; and that it would not be endured to maintain in a free country, where men knew how to estimate liberty, that civil rights were of no value to individuals; and that they might be taken away, or withheld, without doing them any injury.

There was one argument which he thought of all others the most insulting to the Catholics: he meant that which would contend that the Catholics had no right to be discontented, and that their discontent was an argument against concession. He thought it rather an argument for it. The Irish Catholics, if they were quite satisfied with their present condition, would be unworthy of what they sought. "I rejoice," said the great lord Chatham, "I rejoice that the Americans have resisted—three millions of people so dead to the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of all the rest."—Would noble lords pretend to say that there was nothing in all this? If they did, they would deny the existence of the noblest principles in our nature. What Englishman would resign the traditional glory of the victories won by Marlborough? Or, to go farther back, suppose, by some miraculous revolution, Englishmen were to be convinced that all the heroes of Cressy and Poictiers were of any country but England, would they not feel this loss of national honour—not in the puerile regret for the loss of an opportunity of vain taunt and idle exultation, but because such national glory, by diffusing itself equally and impartially, gave the mere individual a property in the glory of his country, and so contributed to advance him in the scale of being? In the campaign of the peninsula, the English could rejoice in their Hill, the Scotch be proud of their Graham, and the Irish exult in their Wellington. But where was the tie that bound the Catholic to the national character? As a Catholic he was exiled from all association in glory: and could such a man as a Catholic have that zeal for the constitution which it was so desirable he should have? With what regret must that man hang his head, who was obliged to exclaim, "I belong to a degraded class, from whom no Marlboroughs or Wellingtons can ever come. I remain, like Gideon's fleece, dry and barren, while fertilizing showers fall all around me, and all the rest of the creation rejoices in their influence." What poignant regret must follow those reflections? How must this sense of degradation tend farther to degrade them? The Catholics would want the feelings which men of worth ought to have, if they were not sensible of their degradation. If they really conceived it no injury, not to allow any person of their religion to rise to the honour that their countryman, lord Wellington, had gained, then, indeed must their spirit have been sunk too low to be able to produce such men. They felt, however, as they ought, the disabilities under which they laboured, and had persevered in calling the attention of parliament to their claims. He, for his part, wished that those claims should be granted, without any restriction. But if it should appear to others, that any thing might be done to remove objections on the part of Protestants, he should have no objection to support their claims even with such restrictions. At all events, the subject was worthy of the most serious discussion, and he should therefore vote for the present motion.

The *Lord Chancellor*, in explanation, said, that the reason why he moved the previous question, and did not meet the motion of the noble marquis with a direct negative, was because he did not wish to shut at once, and for ever, the door of conciliation against the Roman Catholics; while he was at the same time anxious not to disguise from that body his own conscientious objections, on constitutional grounds, to their claims.

Lord *Holland* admitted of the explanation made by the noble and learned lord.

Lord *Mulgrave* vindicated himself and his friends from the charge of inconsistency thrown out by a noble and learned lord. As long as the royal functions were in suspence, and there was any probability of the recovery of a certain illustrious personage, so long was he (lord Mulgrave) an enemy to all discussion respecting it. After the restrictions had been removed, he thought that those concessions might have been made, had it not been for the peculiar circumstances then existing, not excepting the conduct of the Catholics themselves. He thought, however, that the time was now come in which they might safely go the length of the motion of the noble marquis. The danger was not in the grant but in the constant demand and refusal of it—as to any other danger, he saw none in making the concessions asked for, but much in with-holding them—but even admitting the danger, he felt confident, that should it occur, there would be found sufficient energy in the parliament and the people, to resist and put it down—as to the question of security, he could not enter into it, because he could not see the danger. When the House came to that consideration, he should be for granting the utmost concessions, not successively but with a view of at once closing the question to the satisfaction of the country. Some immunities had already been granted the Catholics, such as the elective franchise; and after a Catholic was made a general-officer, still it was in the power of the government to employ him or not; but his rank would be the best security for his loyalty. In all events, should the papal power ever fall into the hands of one of the family of Buonaparté, the measure could be revised, and the restrictions re-imposed.

Earl *Camden* avowed his sentiments to be pretty nearly the same as those which their lordships had just heard from his noble friend, with, however, this difference, that he thought the security to the Church establishment was previously necessary, and that without that security first obtained, no concession should be granted. He explained the reasons of his votes on this question since 1801; and said, that if the present motion had not been made, he should have felt it his duty, early in the next session, to propose a similar consideration. He should now vote with the noble marquis, not thereby pledging himself absolutely against any intervenient circumstances which might arise.

The Duke of *Norfolk* congratulated their lordships upon the steady progress of liberal opinion. He contended, that if there was any one political opinion that might be laid down as an axiom, it was this, that every man had a right to serve his God in the way which his conscience told him was the best, provided that mode of worship was not inconsistent with the safety of the Established Church. If this proposition was self-evident, no serious obstacle could stand in the way of the present question—the legislature were bound to enquire why any portion of the community were denied a participation in its privileges; because to limit the share was to narrow the strength. Any laws in violation of this right, the subject had a right to have repealed; for there indisputably were laws, to the repeal of which the subject had a right. Would any noble lord say, that the subject had not a right to have the Star Chamber annihilated, or the writ 'de heretico comburendo' done away with, provided it were exercised? As to the call for security, it could, he believed, be very easily obviated. In the oaths required previously to the admission of members into the two Houses of Parliament, it had been proposed to omit the word spiritual in the oath to be administered to Catholics: "I do declare that no foreign prince or potentate hath or ought to have any power or authority, spiritual or temporal, within this realm." Now this word might still be retained, provided some such words were added to the oath as the following:—" that shall in any way tend to subvert the established religion." It was his intention to move, that a Committee of the House should take into its consideration the oath of allegiance as applied to the Roman Catholics. He was gratified at seeing this first step towards Roman Catholic emancipation; and hoped that the refusal to grant the measure would follow the fate of the Orders in Council, which had been retained with an obstinacy that had nearly driven our manufacturers into despair. He expressed his regret that the motion of the noble marquis did not pledge the House to something more immediate, decisive and direct. He rejoiced, however, at the great progress this question had hitherto made, and had no doubt of its ultimate success.

The Earl of *Warwick* stated his willingness to extend every privilege to the Catholics that could be afforded with perfect safety to the establishment, since he was persuaded that the fall of the Church would pull down with it the whole fabric of the State. No noble lord could concur with the motion, unless he was prepared to go the whole length of unlimited concession, and as his lordship doubted much the propriety of any concession at all, he should vote against it.

The Earl of *Moira* observed, that in the exhausted state of this discussion, it might seem impertinent in him to add any thing more; but there was one point which it was necessary to explain. The noble earl (Camden) had deprecated the idea of pledging himself by his vote that night. Now the precise object of the motion was, that no noble lord should pledge himself beyond the intention of considering this most important and paramount question. He entreated the attention of the House to the circumstances of the country; to the agitation in Ireland, to the discontents and disturbances in England, upon which sealed documents had been delivered to a Secret Committee only yesterday; and then let them say, whether at least, as much as this was not necessary. Under what circumstances grew the ferment which now existed in Ireland? Had it not been accurately pointed out by many noble lords? Was it no point to tranquillize the feelings of four millions of people between this and the next session? He who thought not, was under a sad delusion; and if he were a member of the administration, the delusion might be fatal. He lamented deeply that the Resolutions of the aggregate meeting had been adopted, for they betrayed a want of confidence in the legislature, and he almost concurred in the sentiments of opprobrium which his noble friend had bestowed upon them. But these Resolutions ought not to influence the House, who were to consider only the essential interests of the nation at large; and the sentiments of the Catholics were as nothing in this scale. If the House should be convinced, that the measure it was now about to take into its consideration, was not only politic but necessary, was it not folly to refuse it, on account of the intemperance of a certain class of individuals? The object of the motion was solely to pledge the House to a consideration which might in the mean time tranquillize the spirits of the Irish Catholics. It bound the House to nothing more than that consideration. He added, on his own part, that the House ought to come to it with an ardent desire to conciliate the Catholics; to grant them a boon necessary to the security of the state. He wished the noble lord had not connected such a measure as this with the danger to which he had alluded; for if he were not convinced, from the testimony of all Ireland (manifested by the Petitions of both Protestants and Catholics), that so far from shaking the security of the established Church, concession to the Catholics would tend to confirm it, he should be the first to resist it. If there were any danger to the Church at all, it would arise from shutting the door against the consideration of the Catholic claims; and it was the grossest of all delusions to suppose, that to vote for the previous question to night would get rid of the subject. It would recur with reiterated strength. The Church could never be in peril while the numbers and consequence of the Catholics in Ireland remained as it did in proportion to the Protestants. Those numbers and that consequence would never increase, unless an undue direction were given to them by the vote of the House; so that if the Church were put in danger, it could be only by their own fault, the House classed the Catholics together by an uniform, and then wondered at their acting together. The noble and learned lord had quoted the statutes of the realm, which he considered the guards of Protestantism. In his opinion the noble and learned lord had totally misconceived the law, the real object of which (a most erroneous one certainly) was to induce the Catholics to quit their communion for the Protestant, to prevent their being debarred of certain political privileges. The experience of a century and an half had shewn how futile and nugatory was this hope; and yet the House persisted in this policy with all the evidences of its consequences before their eyes. With all his respect for the noble lords, he could not help thinking, that their politics came limping 50 years behind the circumstances for which they were now called upon to legislate. After the eloquence of the noble mover, it would be an idle attempt for him to enlarge in worse terms on the importance of the subject. He principally rose to answer that particular part of the speech of the noble and learned lord in which the previous question was urged, which he felt would not get rid of but redouble the evil. The malady might, perhaps, be incurable hereafter; and the very intemperance, which had been alluded to by the noble lord on the cross-bench, was only a symptom of the fever. The conduct of the noble and learned mover of the previous question reminded him of the situation of an unskilful rider, who was placed upon the back of a generous and high spirited horse. Alarmed at the peril in which the rider was placed, he tightly grasped the rein, and to check the impatient prancing of his steed, snatched the curb, thus placing himself in real danger, because he had first given way to unreasonable fears. The decision of the House was vital to the empire, and they were that night called upon to give one of the most serious votes that had been proposed within their walls. He therefore besought them to weigh well the probable consequences of their votes, and to bear in mind that to vote for the previous question, got rid of the measure for that night only; and, that short as the present session was likely to be, there would still be time enough for the reagitation of the subject. It was the opinion of a statesman now no more, that the Catholics could give no security, but their pledge; and he had applied to all the Catholic universities in Europe to know whether their oaths were administered or received with reserve or not. The unanimous opinion of those universities was, that the oath was binding, and was the most solemn pledge that could be given; and then was he convinced of the safety of the concessions. This pledge was the only one the Catholics were competent to give; and he was fully satisfied that the aversion from these concessions arose entirely from a want of thorough examination into the question.

Viscount *Sidmouth,* although he had so frequently given his opinion on this subject, could not abstain from saying a few words on the present occasion. If he had been one who opposed the motion of the 31st of January last, he should also have felt it incumbent upon him to oppose the present. He was then of opinion, that the temper of the Catholics of Ireland rendered it unworthy of the dignity of the House to grant their claims; and no concession ought to be made at the expence of the honour and dignity of the House. A special objection was taken to them then, that they had arrayed themselves in the armour of right, and had assumed a menacing appearance. They might since have kept themselves within the pale of the law; but their intention and mind were still the same. He perfectly recollected that the noble marquis on that occasion had opposed concession, and how he could reconcile the contradiction between his conduct then and now, was to him unintelligible. He (lord Sidmouth) after having carefully weighed the subject, felt it necessary to pursue on the present, the steps he had taken on former occasions, by giving his decided negative to a motion, which had for its object what it termed final and satisfactory adjustment, but what he begged leave to name complete and unlimited concession. Unless he thought that the degree of concession which he should be likely to grant the Catholics, was such as would be satisfactory to them, he held it most fair and honest, with his limited views upon this subject, to oppose the motion at once, and in the bud. He might think, as he had thought in 1801, that the Irish act of 1793 ought to be operative in every part of the kingdom, and that it would be desirable to connect the Roman Catholic priest with the government. This might still be politic, although circumstances had certainly rendered the policy questionable; but before the House could vote for the present motion, they ought to be determined to concede the claims in their great and unlimited extent. He was sure the argument of the noble marquis went thus far, and contained no single word of condition. The motion itself, indeed, spoke much of restriction; but the noble marquis had said nothing about it. All the reciprocity (to use a well known phrase) was to be on one side. He was not insensible to the condition of the Irish Catholics; but the mass of the population of Ireland had always been forgotten; and the House heard only of 3, 4, or 5 millions who were to be conciliated and restored to tranquillity, and who claimed the rights and privileges of Protestants. The exaggeration of these numbers, great as it was, was nothing when compared with the exaggeration of their condition. The House looked too much at the summit, and too little at the base. The condition of the Irish was, doubtless, improving, and the cultivation of the country was certainly in progress; but noble lords deceived themselves if they thought the discontents in Ireland were solely attributable to the Catholic restrictions. This question had long been made subservient to party and private views. The emancipation of the Irish from ignorance and poverty, was the first object for the wisdom and benevolence of the legislature. He was quite as anxious as the noble marquis that order should be restored, but he did not think that the mode now proposed was likely to effect the object; he should therefore vote for the previous question, although he could have wished that the motion had been met by a simple negative. It was a solecism to assert, that men were entitled to a complete participation in the rights and privileges of the constitution, where there was not perfect and implicit obedience. With regard to foreign influence, he was by no means satisfied. In England, from the time of John to the Reformation, the temporal power of the Pope had been always disputed; but in Ireland it had been allowed; and there was, perhaps, no country in Europe, where even now the authority of the supreme pontiff was more firmly established, or more fully acknowledged. Under all the circumstances, he felt that he should not satisfy his conscience by the performance of his duty, if he did not do all in his power to defeat the motion.

The Marquis of *Headfort* said a few words, which were not heard below the bar.

The Marquis of *Lansdowne* declared, that although he should willingly support the proposition of his noble friend, he should with more satisfaction have given his vote for a motion proposing the immediate consideration of the Roman Catholic claims, since the result would be more effectually to tranquillize the country. No man, however, would vote for the Resolution, who was not prepared to go to the subject with a determination to concede every thing that could be fairly demanded. A right reverend prelate (the archbishop of Canterbury) had enquired with an air of confidence, what was the value of the question supposing it were carried?—Was there no advantage to be gained from the success of a motion, the effect of which would be the tranquillizing of a whole nation?—What was it but a pledge, that as early as possible parliament would proceed to review all the penal laws so injurious to the interests and welfare of the Catholics?—It was now for the first time, that a ray of hope had broken through the dark clouds that overhung the prospect of the Catholics, and by this light they were to be cheered during the recess of parliament. The noble viscount who last spoke, had asserted, that every thing was to be conceded and nothing to be gained: that the reciprocity was all on one side. Was this the fact?—Was it true, that when the zealous services of four millions were secured in times like these, that nothing was obtained? Was all that gratitude, all that cordial affection, and united interest by which the Catholics would be actuated,—were all these to be counted no return for the boon that would be granted? The noble marquis had said most wisely, that concession to the Catholics was only the means of obtaining for them other advantages by participation in the blessings of the constitution? What, however, did the noble viscount insist? That the Irish only required emancipation from poverty and ignorance, and yet he would not allow that by gaining the honourable emoluments of office, they should obtain either knowledge or wealth: this was the first time it had been gravely maintained, that the mode of making a people rich was keeping them poor, or the mode of making them learned was keeping them ignorant. Thus excluded from favour, confidence, or reward, what was more natural than that they should look abroad? And to this cause was to be traced the authority of the Pope in Ireland. The true secret of destroying his influence was by making it unnecessary, by allowing civilization to remove the chains with which superstition had shackled ignorance.

The purpose for which he principally rose, was, to call the notice of the House to the circumstances under which this question was now brought forward. Ten years had elapsed since three millions of Catholics of Ireland appeared at the bar, humble petitioners for the removal of religious disabilities, and during those ten years, exclusion and persecution had occasioned an increase of 5 or 600,000 Catholics; they had petitioned in vain—they still appeared at the bar, but under more favourable auspices; their cries for relief were strengthened by the voice of the Protestant body, who divested of every jealousy and suspicion, bore testimony to their peaceable and temperate demeanor. Besides this, one branch of a Protestant legislature had already determined in their favour. What was the situation of the government of the country at this period? It seemed that new light had broken in upon ministers, who for 10 years had been enveloped in clouds of ignorance and bigotry: they were now willing to grant, but yet afraid to act; a mixture of concord and discord, agreeing in nothing but that they should all disagree—taking shelter in their discordance against the consequences of further united resistance to the demands of the Catholics. Was it not then the duty of the House to act for itself, by taking the subject out of the hands of those too weak and too timorous to manage it? Much had been said upon the subject of securities, but little that was satisfactory to those who seemed resolved to be dissatisfied. In his opinion, none other ought to be required than such as already appeared in the statute-book; the oath on which the constitution had hitherto and not vainly, relied. Convinced that concession was absolutely necessary to secure the prosperity and happiness, and perhaps the existence of the empire, amidst the awful efforts against the common enemy which he was convinced it had yet to maintain, he would give his hearty support to the original motion.

His Royal Highness the Duke of Cumberland observed, that his sentiments on this subject remained unaltered: he had hoped that the peaceable and tranquil demeanor of the Catholics would on some future occasion have entitled their petitions to consideration, but his wishes had been disappointed: the last intemperate Resolutions had decided his mind, and he should, at present, resist all consideration of the subject.

The Earl of *Liverpool* remarked, that with respect to the general proposition before the House, there were two ways in which it should be considered; first, with reference to its practicability; and secondly, with respect to its expediency. He should conceive himself as acting in a manner unworthy of his character, if he afforded support to a motion, without clearly seeing his way as to its leading to a satisfactory conclusion. On the first of these grounds he should always stand. He would never meet a great question by little shifts or little expedients. It should be met upon great and general principles. If it could be so met, he would be the last man in the House to prevent such a consideration of the question. But when taken upon great and general principles, if he could not see his way to a safe conclusion, he should not be acting justly and manfully, if he did not avow that sentiment and act accordingly. Were the religious opinions of the Catholics the only obstacle, those should make no difference whatever. If, as was said by a noble friend, any number of persons would agree to take the oath of supremacy, there could be no danger in going to the extent required. This oath included an abjuration of all foreign jurisdiction, spiritual as well as temporal. He considered it as a fundamental principle, laid down at the Revolution: it was laid down as an essential principle, that the Protestant government was to be firmly established in these realms. He conceived this to be, that the power of the state was to be Protestant, maintained for the benefit of all descriptions of its subjects. The arguments of his noble friends were not fairly stated by noble lords opposite. It was contended by his noble friend only, that in the present respective situations of the French government and the court of Rome, such a state of things might arise, as would render the papal power, so influenced, as dangerous as ever in this country. If any one political principle was more firmly established than another, it was that the subjects of a state should owe no allegiance out of that state. Under these circumstances, he felt himself called on to declare, that as he could not see his way to any beneficial result from the motion of his noble friend, he could not feel himself justified in acceding to it. It was a maxim of his political life —a maxim confirmed by all that he had ever heard, read, or observed, that with respect to a great constitutional question, if a stand were to be made, it should be made *in limine.* Therefore, as he saw not clearly any prospect of a practical conclusion from the present proposition, he thought the true way in point of principle, and the most manly way, was to resist in the first instance. He would even go farther, and state, that if he were determined to make concession he would still oppose the motion, because he was against making any great change in the laws, without knowing what that change was to be. Before he could consent to a change, it must be shewn to him at the time the measure was proposed, what was to be proposed in the room of that which then existed. He believed it was competent to any noble peer to lay a Bill upon the table, and to shew therein what it was proposed to repeal and what to retain. He agreed with his noble friend opposite, that it was right to consider this great question as a whole, and he hoped, that whatever might be done on the subject, it would be done at once; it was impossible to form a just estimate of the character of a measure proposed for adoption, without knowing the whole extent of what was to be done.

The Earl of *Donoughmore* said, he had, as it was well known to many of their lordships, lived in habits of strict friendship with the great body of the Catholics; he had always been the strenuous advocate of their cause; and he did not on the present occasion feel himself less inclined to be so than heretofore. He applauded the manly manner in which the noble earl who had just spoken had always met this question: and confessed he always considered, that consideration involved concession; and he would strenuously deprecate the idea of deluding the Catholics by affording them the one and withholding from them the other; but he thought it no favourable omen, that the first minister of the crown should declare himself hostile to the measure. In his communications with the Catholics, he had advised them not to give their confidence to the present ministers until they were satisfied with what they intended to propose. He wished, however, that the Resolutions of the late aggregate meeting had been marked by a little more temper. He could not at the same time readily believe that lord Fingal, who presided at it, and whose son had moved the Resolutions, should afterwards have expressed his disapprobation of them. He was sorry to find the tone of those Resolutions had made so strong an impression as it seemed to have done on the minds of some noble lords; but there would always occur in large public bodies moments of irritation; and it was not wonderful the Catholics should feel a jealousy, when they found re-appointed to their situations the present ministers, who had on all occasions shewn themselves so decidedly as their determined foes. The Catholics had said, we cannot give you any further security, for when you gave us the right of franchise we took the following oath: "And I do swear, that I "will defend, to the utmost of my power, "the settlement and arrangement of property in this country, as established by "the laws now in being: I do hereby disclaim, disavow, and solemnly abjure any "intention to subvert the present Church "Establishment, for the purpose of substituting a Catholic Establishment in its "stead; and I do solemnly swear, that I "will not exercise any privilege to which "I am or may become entitled, to disturb and weaken the Protestant religion "and Protestant government in this kingdom. So help me God;" An oath by which they had ever since abided. He rejoiced that with the exception of the two noble and learned lords, a conciliatory tone had been manifested upon this question by all the noble lords who had spoken, and he trusted it would lead to that consummation which was so highly desirable, the conciliatory adjustment of the claims of the Catholics. The conduct of the Catholics in a part of their Resolutions, in stating, that they could give no other security than they had tendered in their oaths, and that if the supremacy of the Pope was required to be given up, it could not on their parts be agreed to, or at least, that they could not give up that unity of power wherever it was vested, which was essential to their religion, was in his opinion highly to be applauded. The motion before their lordships had his hearty support.

Viscount *Melville* was anxious to say a few words for the purpose of stating his reasons for voting for the motion of the noble marquis (Wellesley,) and he trusted he should not be called inconsistent in now taking the first moment, in which he thought the discussion could be safely entered into, with a real view to conciliation, to give his vote for the consideration of the question. He agreed with his noble friend in his view, that if a stand was to be made, it ought to be made *in limine*, but he thought that period was past, and that after the concessions made to the Catholics by parliament in 1793, they could not have in their contemplation the continuing for any long period to withhold the repeal of the remaining disabilities. He trusted that the Resolution, if adopted, would lead to a real spirit of conciliation; he regretted the intemperance of some part of the Resolutions passed at the aggregate meeting, but he thought that notwithstanding any temporary intemperance parliament ought to pursue its course steadily, only keeping in view what it considered to be for the good of the empire. Those who, in 1800, could not agree with Mr. Pitt, ought to take the first opportunity of doing so. He was glad to observe that there had been lately a great change in public opinion in Ireland, because he thought it would lead to a spirit of mutual conciliation, and thus lead to the happiest effects.

The Earl of *Darnley* said, he thought always that the Catholics of Ireland were entitled to the consideration and justice of the House. He hoped, therefore, the time was fast approaching when those claims of justice and sound policy would be attended to. The noble earl then entered into a comparative statement of the number of Catholics and Protestants in Ireland. The former had considerably increased of late, and the latter had as considerably decreased. In one district the Catholic body which formerly consisted of 32,000 persons, had been recently augmented to 47,000; and the Protestant body which formerly consisted of 17,000 persons, had been recently reduced to 10,000. Were it not for the lateness of the hour, he could have communicated to their lordships a great deal of useful and interesting information on this subject, which he had derived from Mr. Wakefield's recent publication, a very valuable work, which every man in the country ought to read.* The Catholics had a right to come to an opinion of their own, for they were the persons most concerned. He would ask why his Majesty's ministers would not advise the Prince Regent to give them relief?—The generous and warm heart of the Irish could receive benefit and be grateful, but they could not lie quiet under oppression and cruelty. Even under the restrictions the Catholics of Ireland had increased, and the Protestants had diminished.

Lord *Redesdale* said, he had formerly objected to a committee, and had now a greater objection to support the present motion, because he was convinced the claims of the Catholics ought not to be allowed unless very strong securities were given. Absolute concession, without restriction, he never could agree to. He should therefore vote against the motion.

Lord *Grenville* could not give a silent vote on the subject; he must express the gratification which he felt at the manly manner in which the subject had been brought forward, and if he had any thing to regret, it was that the Resolution did not go the whole length of promising the repeal of the Catholic disabilities. He agreed with the noble marquis who brought forward the motion, that the greatest mischief which could be brought on the country, would be to deceive the Catholics at this moment, by holding out to them illusory expectations. He had been told by a noble lord, that the safety of the constitution was involved in their vote; but which of them was now giving the best proof of attachment to the principles of the Revolution, he who excluded four millions of men from the benefits of the constitution, or he who would bring them in to share and strengthen it? There were those who thought the question might be put off without danger, but let them not "lay that flattering unction to the soul." It grew dangerous as it was delayed. He lamented it had not been settled finally 12 years ago. Since that time discontents must have increased; and it was not strange that mistrust should now be found when we made our offers of friendship.

---

* An Account of Ireland Statistical and Political, by Edward Wakefield, 2 vols, 4to. Published by Longman, Hurst, Rees, Orme and Brown, 1812.

The confidence of the Catholics could not grow at once as complete as it would have been, had their desires been granted 12 years ago, or five, or three, or two, or even, more than all, when the restrictions were taken off the Regency. It was most expedient not to lose a moment. The Catholics could not be expected to wait submissively and confidently for the six or nine months that might pass till the meeting of parliament, without some pledge, especially under such a ministry, when the lord chancellor, the keeper of the king's conscience, declared, that to comply with their wishes would be to sacrifice the constitution. At all events, if their lordships gave their voice for them, late events shewed that they were not to expect great resistance in another quarter. The noble and learned lord who had objected so much in detail, had only to send his objections to be discussed in the Committee. It was impossible not to express an additional satisfaction at the proof which was now furnished, that the measure must be eventually successful; and yet this was the measure for which he and other members of that House had been charged with little short of treason against the King and Constitution. Those very men who rose to power on the charge now admitted that they had all along thought with him, and his noble friend; although they had not hesitated so to calumniate them. Here was a new proof also of the advantage of free discussion. If the question could have yielded to the votes of great majorities in that House, to undue influence, or to a popular cry, it must have perished; but it was supported, and it was now triumphant.—This was the spirit of the constitution, and it was into this constitution that four millions of men were about to be admitted by the vote of that night. He repeated, that he would not vote for the motion now, he never would vote for it, if he did not conceive that the vote of the House would pledge them to concession, not doled and parcelled out with a niggardly and reluctant hand, but going to the full extent of a total repeal of their disabilities. When he said so, he did not exclude those securities which might be deemed necessary to preserve the Protestant establishment, being satisfied that upon the preservation of it depended the safety, happiness, and tranquillity of both countries. He should prefer to the present motion a declaration that parliament would, early next session, proceed to a total repeal of those disabilities; and he should prefer still more, a declaration that they would, at this moment, proceed to the repeal of them. But as he could not get what was most agreeable to his wishes, he gladly hailed that which was offered to him.

Earl *Stanhope* said, that if there were doubts concerning the votes on this question, he held it very fair to catch persecutors in their own traps, when he, who was of a different opinion, had the law on his side. He could turn all the bishops out of the House. He referred to the 30th of Charles 2, cap. 2, which was passed for the more effectually disabling Papists, from which he would read a few words. The act stated, that from and after the 1st day of December, then next ensuing (a day now long past) "all peers or members of the House of Peers, (which, of course, included their lordships the bishops) who should advisedly come or remain in the presence of the king or queen, or into the king or queen's houses during that reign, or those of their successors, should incur all the pains of that act, unless they had previously in due time taken the oath prescribed to them in the proper place, between the hours of 9 and 12 in the forenoon." Now, instead of coming to that House and taking the oath, all their lordships the bishops had gone to court in the first instance, and were therefore Popish rescuants convict, and disqualified incurably from sitting in parliament. His intention was, when his Bill came on, to bring this act before the House; but he hoped he should have no occasion for it, if my lords the bishops behaved like good boys, as he hoped they would; otherwise he should certainly turn them all out neck and shoulders.

The *Lord Chancellor* moved the standing order, and strangers were excluded during the remainder of the debate.

On the division on the previous question, the numbers were—

Contents, present	74	
Proxies	52	
		—126
Non Contents, present	74	
Proxies	51	
		—125
Majority for the previous question		1

List of the Minority.

PRESENT.

DUKES.
Kent
Sussex
Norfolk
Somerset
Grafton

Bedford
Devonshire
MARQUISSES.
Headfort
Lansdowne
EARLS.
Essex
Jersey
Oxford
Dartmouth
Cowper
Stanhope
Harrington
Fitzwilliam
Hardwicke
Darlington
Spencer
Chatham
Uxbridge
Grosvenor
Camden
Caernarvon
Rosslyn
Grey
Harrowby
Charlemont
Kingston
Lucan
Conyngham
Donoughmore
Clancarty
Mountjoy
Balcarras
Strathmore
VISCOUNT.
Melville
LORDS.
Say and Sele
Hastings (Moira)
St. John
Clifton (E. Darnley)
Byron
Dutton (M. Douglas)
King
Montfort
Foley
Ponsonby (E. Besborough)
Grantham
Holland
Sundridge (D. of Argyll)
Ducie
Grantley
Bulkeley
Boringdon
Montagu
Tyrone (M. Waterford)
Braybrooke
Amherst*
Grenville
Ossory
Mulgrave
Bradford
Yarborough
Saltersford (Courtown)
Dawnay (Downe)
Gwydir
Wellesley
Carrington
Erskine
Monteagle (M. Sligo)
Lauderdale
Ponsonby
BISHOP.
Kildare

PROXIES.

DUKES.
St. Albans
Leeds
St. Vincent
Tankerville
MARQUISSES.
Bute
Buckingham
Stafford
EARLS.
Glasgow
Granard
Thanet
Guilford
Aberdeen
Carlisle
Londonderry
Portsmouth
Hillsborough
Bristol
Haddington
Albemarle
Peterborough
Plymouth
Clarendon
Waldegrave
Carysfort
Fortescue
Derby
Ilchester
Ashburnham
VISCOUNTS.
Anson
Bolingbroke
Hereford
LORDS.
Glastonbury
Mendip
Breadalbane
Crewe
Hawke
Berwick
Thurlow
Hutchinson
Glandore
Somers
Dundas
Boyle (E. Cork)
Auckland
Cawdor
Butler (E. Ormond)
Lilford
Ashburton
Ailsa (E. Cassilis)
BISHOPS.
Rochester
Norwich

Present, 74—Proxies, 51——125.

List of the Majority.

PRESENT.

DUKES.
York
Cambridge
Cumberland
Beaufort
Rutland
MARQUISSES.
Bath
Cornwallis
Winchester
EARLS.
Bridgewater
Westmorland
Winchilsea
Sandwich
Cardigan
Shaftesbury
Aylesford
Pomfret
Graham (Montrose)
Warwick
Buckinghamshire
Egremont
Radnor
Bathurst
Digby
Mansfield
Liverpool
Romney
Chichester
Powys
Orford
Lonsdale
Talbot
Longford
Aboyne
Rosse
Gosford
Caledon
VISCOUNTS.
Falmouth
Hampden
Sydney
Sidmouth
Cathcart
LORDS.
Eldon
Hay (E. Kinnoul)
Boston
Brownlow
Dynevor
Walsingham
Rodney
Eliot
Gordon (Huntley)
Carleton (Shannon)
Suffield
Kenyon
Verulam (Grimstone)
Douglas
Douglas (Morton)
Rous
Dunstanville
Bayning
Bolton
Loftus (M. Ely)
St. Helens
Redesdale
Ellenborough
Sheffield
ARCHBISHOPS.
Canterbury
York
Cashel
BISHOPS.
London
Chichester
Salisbury
Exeter
Oxford
Meath

PROXIES.

DUKE.
Manchester
MARQUIS.
Abercorn
EARLS.
Chesterfield
Aylesbury
Onslow
Effingham
Home
Wilton
Stamford
Manvers
Lindesay
Enniskillen
Ferrers
Craven
Kellie
Malmesbury
Northampton
Macclesfield
Harcourt
Poulet
VISCOUNTS.
Curzon
Bridport
Dudley and Ward
Northland
Wentworth
LORDS.
Selsey
Willoughby
Cahir
Tyrawly

Le Despencer
Sherborne
Ribblesdale
Sinclair
Saltoun
Percy
Vernon
Napier
Arden
Wodehouse
Nelson
Rivers
Beauchamp

BISHOPS.

Bath and Wells
Peterborough
Bristol
Winchester
Durham
Carlisle
St. Davids
Hereford
Worcester
Bangor

Present, 74—Proxies, 52—126.——Majority 1.

STIPENDIARY CURATES BILL.] The Earl of *Harrowby* rose to postpone the order of the day, for a committee of the whole House on the above Bill, until Friday se'nnight. He would then submit to the House certain Amendments, and that the nature and object of the Bill might be fully known, and examined by those whom it particularly concerned, it could then lie over till an early period in the next session.

Lord *Grenville* expressed his deep sense of the importance of the Bill: he did not believe that those who were now anxious for its postponement, meant to dispute the principle on which it was founded, or could feel any disinclination to go into a grave consideration tending to some measure of this kind. He felt the necessity of proceeding with caution in a matter involving the rights and interests of a numerous body of persons, the most venerable and respectable in this country. Nothing should be done without the fullest and most mature deliberation; and he was happy that his noble friend, by the mode he had proposed, would give every opportunity for the examination of the measure. That examination, he trusted, would be with a view to some adequate measure for the attainment of the object sought to be accomplished, and which he considered of the greatest importance that could be brought before their lordships. It was impossible for any person to see the returns of the state of the parochial clergy in this country, which then lay on their lordships' table, and not to feel, that if parliament, early in the ensuing session, did not carefully enter into the examination of the subject, they would omit one of the most important of their duties, and neglect one of the best means that could be afforded, for securing the peace and good government of the country. He returned thanks to his noble friend for having brought the measure forward, and for the zeal and ability which he had displayed in endeavouring to effect it. He conjured their lordships to turn their serious attention to it; and he hoped that those who, from the situations they occupied, were more particularly interested in the Bill, would endeavour to promote the object, by procuring as much information as possible on the subject.

The Earl of *Suffolk* concurred in the observations of his noble friend. He earnestly conjured the House to take into consideration the situation of that meritorious class of individuals whom the Bill sought to relieve. To prove the necessity of an alteration in the system, he instanced the case of a Curate in the Diocese of Lincoln, who received only 32*l.* per annum, which, with the utmost economy, was utterly insufficient for his support.

The committee on the Bill was then fixed for Friday se'nnight.

MR. PALMER'S PER-CENTAGE BILL.] The Earl of *Moira* gave notice of his intention of moving the second reading of this Bill, on Friday next.

The Earl of *Lauderdale* said, he did not think there was a noble lord in the House who, on consideration, would not be of opinion, that Friday next would be too early a period. The information which had been moved for, even if it were sufficient, could not be printed and laid on the table before that time. There was one most particular reason to prevent its being brought forward on the day proposed. Two reports on the subject of those claims, one of them originating in that House, and the other elsewhere, were ordered to be re-printed. Now, these documents, which afforded very important information, could not be got ready at the period specified. If it was, therefore, determined that the second reading should stand for the day proposed, he hoped it would be with an understanding that, unless those papers were laid on the table for some days before, it would not be pressed. In the present situation of the country, when a demand of public money, so enormous as 78,000*l.* and 9,000*l.* a year was to be decided on, the fullest information should be given. In such a case, even the noble earl must see the necessity of having those papers printed, that the House might be in possession of those materials, which would probably operate strongly on the discussion. There was then a Bill before their lordships, limiting the remuneration to be granted to the highest officers in the state, for the greatest services. If, in such a case as that, the legislature had interfered, he hoped, before these claims were acceded to, that every information would be laid before the House, and that the whole business would receive the strictest investigation.

The Earl of *Moira* persisted in his intention of moving the second reading of the Bill on Friday, if the papers were then on the table.

The *Lord Chancellor* said, it was competent for every noble lord, who wished to peruse the papers moved for, to endeavour to procure a postponement of the Bill. For his own part, however, he felt no difficulty in saying, that he should be perfectly prepared to give his vote on Friday next. In the course of his public duty, the subject had come under his consideration, and his mind was made up on it. He would oppose the Bill, in every way in which it might be presented.

HOUSE OF COMMONS.

Wednesday, July 1.

Petition of Silk Manufacturers respecting the Renewal of the East India Company's Charter.] A Petition of several silk manufacturers was presented and read; setting forth,

"That, at a time when unfortunate circumstances have deprived the petitioners for a series of years, of the regular supplies of the raw materials which they used to draw from the continent of Europe, they have anxiously looked up to the exertions of the East India Company in order to draw from India those resources which that country could in a great measure afford, and which are absolutely necessary to the preservation of the silk manufactory in this country; and that although the court of directors of the East India Company have uniformly professed to be sensible of the great importance of the silk manufactory in a national point of view, and consequently of the necessity of encouraging in India the extended culture and improvement of the raw material for the purpose of encreasing its consumption at home, not only the result of their exertions has not been such as the petitioners had reason to anticipate, but their importation of raw silks since the year 1807, when first the petitioners began to be deprived of the regular supplies they used to draw from the continent of Europe, has fallen very short of what it used to be in those years which afforded them a copious supply of Italian silks; and that it is, therefore, with the utmost surprize and concern, that the petitioners observe the following proposal made to his Majesty's ministers by the court of directors, "That it being desirable, as well for the public as for the Company, that the quality of silk grown in India should not be deteriorated, it is submitted that this article be confined to the Company;" and that the experience of the petitioners enable them to assert, that motives of private interest alone, and an absolute disregard of those public grounds on which the court of directors professes to act, could have suggested the proposal above recited, inasmuch as the improvement introduced in the silk factories in India was not derived from the local knowledge and skill of the servants of the East India Company, but from the information and assistance afforded them by individuals who had obtained an accurate knowledge of the manner in which raw silks are prepared in the southern part of Europe; and that, in corroboration of the petitioners' statement, and in direct contradiction of the claim preferred by the East India Company, the best raw silk imported from India was first reeled in and obtained from a free factory; and that the same causes which have hitherto deprived the silk manufacturers of a regular supply of raw silks from India are likely to operate constantly to their detriment under the management of the East India Company; and, among others the uncertainty of adequate funds being always secured for that purpose, those which ought to have been reserved for the silk investments having frequently been diverted, whenever a temporary pressure has been felt in other departments; and that from the foregoing facts, and from their general experience, the petitioners are convinced, that, so long as they are dependent on the East India Company for the necessary supplies of the raw material, so long must they expect to suffer from continued scarcity and disappointment; and that the petitioners can have no hope of the improvement of which Bengal silks are susceptible being attained under the management of the East India Company, the individuals appointed to superintend that branch of trade being selected in conformity to regulations in no respect compatible with a perfect knowledge of the qualities of silks required for the silk manufactory in this country; and that nothing but the liberty afforded to individuals, possessed of such knowledge, to pursue uncontrolled such measures as may be best calculated to promote the object in view, can support the petitioners in the hope of obtaining, at some future time, a regular supply of Bengal silks ultimately adequate in quantity and quality to supersede, in a great measure, the necessity of having recourse to foreign nations for a supply of the raw material, without which the silk manufactory cannot be preserved in this country; and that the petitioners throw themselves on the justice of the House, confident that the great importance of the silk manufactory will not be overlooked in the discussion's which are to determine the abandonment or the renewal of the East India Company's Charter."

Ordered to lie upon the table.

EXCISE DUTIES BILL—LEATHER TAX.] Mr. *Brougham* begged that the third reading of this Bill might be postponed till to-morrow, the parties interested being in the very act of instructing their representatives to oppose it.

The *Chancellor of the Exchequer* could not consent to any delay, but moved that the Bill be now read a third time.

Mr. *Brougham* begged of the right hon. gentleman to hesitate before he passed a Bill, which went to affect, in a very severe degree, 80,000 persons in this city, and 800,000 persons in the country. A tax on starch, a tax on bread, or a tax on cattle would be objected to. What was this but a tax on cattle? A tax on leather was a tax on machinery, on every implement used in husbandry, and on the shoes of all farmers servants. *Pro tanto*, it went to raise the price of bread. It was in the nature of a poll tax, and went to affect every man in our army and navy, to the number of about 800,000, each of whom consumed from two to six pairs of shoes every year. Was this the way to raise taxes? This was taxing government with one hand, to pay it with the other. It was the Chancellor of the Exchequer taxing the Secretary of War. He gave notice that he should, early next session, bring forward a motion on the subject of the property tax, as it was made to affect farmers, conceiving that tax, in the way in which it affected them, as being inconsistent with sound policy, morality, and justice.

The *Chancellor of the Exchequer*, in answer to the observations which had fallen from several gentlemen in respect to the tax on hides, stated, that measures were adopted for relieving the tanner from what he thought was a hardship, in being taxed for the stock in hand: the relief so given would comprise the quantity of hides in process of tanning, and not the raw material untouched; because it would be a most injurious mode of proceeding towards the public, to allow the tanners to put half a million of money into their pockets, by extending the relief to the whole of the stock in hand. In many places the trade had eighteen months stock, in others they had only five months. He should be wanting in his duty to the public, if he were to concede their demands, wholly and without limitation. No doubt the price of the commodity to the consumer would be raised; he hoped not too much. If the tanners next session could make a case sufficient to call upon parliament for further relief, unquestionably it would be granted. There were some other benefits to be afforded to the trader. He should propose to give an increase of drawback on articles exported in a manufacturing state.

A long conversation afterwards took place on the question that the Bill be read a third time, when

The *Speaker* suggested the propriety of reserving the opposition till the schedule applicable to the tax in question came to be considered.

The Bill was accordingly read a third time, On the schedule applicable to the Tax on Leather, the House divided—for the Clause 86, Against it 78; Majority 8. —The House again divided on a question, that the further discussion of the Bill be adjourned till to-morrow. For the Adjournment 64, Against it 81; Majority 17. —The Bill was then passed.

PENITENTIARY HOUSE.] The House having resolved itself into a Committee of Supply,

Mr. *Holford* moved, that a sum of 30,000*l.* should be granted to his Majesty, towards building a Penitentiary House. In submitting this motion to the committee, he stated, that the whole expence of the intended Penitentiary House was estimated at 260,000*l.* From the nature of the plan, however, the building was to be divided into six parts, each of which would be built separately; so that, with the sum now proposed to be voted, he hoped considerable progress would be made by next year towards building a wall to encircle the intended space within which the prison was to be, and towards building one of those parts.

Mr. *W. Smith* acceded to the propriety of building a Penitentiary House, but objected to the enormous expence at which it was to be accomplished.

Mr. *Holme Summer* not alone strongly reprobated the expenditure of such a sum as 30,000*l.* at this particular crisis, but objected to the system of Penitentiary Houses altogether, which, he was convinced would ultimately prove to be nothing but seminaries for vice.

Lord *Robert Seymour* took that opportunity of entering into a defence of the system adopted towards the prisoners in Cold-Bath-fields prison, which he said he knew, from ocular demonstration, to be of the most admirable description. This he was induced to do from some observations which had fallen from an hon. baronet (sir F. Burdett) on a former night.

Mr. *Long* said, that the principle of building Penitentiary Houses had been approved by the House, who had passed laws upon the subject long since. He admitted that the estimate of the expence of the proposed building was very enormous, but he begged to assure the House that economy should be most studiously consulted, and that if the expence could be lessened, it certainly should.

Mr. *Hume* spoke in favour of the motion. He detailed a calculated proportion of crime in England and Scotland, which he said was ten to one less in Scotland than in this country. This he ascribed to the prevalence of education, which generated habits of reflection.

Mr. *Wilberforce* supported the motion, both on the ground of economy, and the moral use of penitentiaries.

Mr. *Lockhart* said, that at a time when the taxes were so grievous, and so much discontent prevailed, the House should be cautious how they sanctioned such a motion. He wished the experiment of education to be tried on the poor, which he thought would be more efficacious and less expensive, than the proposed establishments.

Mr. *Bankes* said, that he had just given a reluctant consent to the leather tax on the ground of necessity, and thought the present a very inauspicious moment to ask for so large a grant. The plan appeared to him a very expensive one.

Mr. *Sinclair* merely wished to state his concurrence in opinion with the hon. gentleman who spoke last on the subject of this estimate. He was not disposed to question the general policy of this institution, which, if the country were placed in a different situation, it might be very desirable to establish; but, in the present state of our finances, not only all useless expences must be avoided, but all, which though useful, were not absolutely necessary; and he should therefore feel it his duty to take the sense of the committee as to the propriety of this grant.

The Committee then divided; For the Grant 41, Against it 7; Majority 34.

HOUSE OF COMMONS.

Thursday, July 2.

LEATHER TAX.] The Report of the Committee of Ways and Means was brought up, and the Resolutions agreed to.

Mr. *Brougham* took that opportunity of asking the right hon. the Chancellor of the Exchequer, whether it was his intention to press the additional duty on Leather, after it had been agreed to only by a majority of eight members?

The *Chancellor of the Exchequer* answered, that the House having agreed to the measure, it remained with the other branches of the legislature, to deal with it as they might think proper.

ADDRESS RESPECTING MARY-LE-BONE PARK.] Mr. *Creevey* rose, in pursuance of his notice, to move for certain papers respecting the expenditure which had hitherto been made in the improvements of this Park. He observed that the crown lands now formed into the park in question consisted of 550 acres, the leases of which expired last year, and as the produce of this park was likely to form a considerable portion of the public revenue, he deemed it extremely essential that the House should be put in possession of every information which could, in any way, tend to shew them that due exertions had been made in the disposition of these lands, to consult the interests of the country, and the increase of its revenue. By an act now in existence, it was stipulated that the surveyor of crown lands should, at the expiration of every three years, and within thirty days of the meeting of parliament, make a return of such improvements or alterations as he might, in the execution of his duty have thought proper to make, and this with the obvious intent of shewing to parliament how far that course had been pursued, which might be considered most conducive to the public benefit. The present surveyor, however, (lord Glenbervie) had not yet thought it proper to submit this return; and when he (Mr. Creevey) on a former night made some allusions to the necessity of the act being complied with, it was thought that he was asking something unreasonable, and that in calling for a fulfilment of a public act of the legislature, he was demanding that which was by no means necessary or usual. Without this return he felt himself totally at a loss to comprehend what were the plans of the surveyor, or how far his arrangements might be consistent with the feelings and wishes of the country: and in this state of ignorance he felt it his duty to move for such papers, as might in some, though in a small degree, throw a slight gleam of light upon the subject. According to his idea of what was right, he conceived that, in the disposition of the crown lands in Mary-le-bone, three objects should be considered: first, an increase of the public revenue; next, the convenience and advantage of his Majesty's subjects; and, lastly, the ornament which these lands might be made to the environs of the metropolis. How far these objects were likely to be effected, he was totally at a loss to conceive, from the absence of the report of the surveyor. He had, however, taken a survey of the park himself, and all he had been able to discover was a gravel walk and copious plantations of boards, within which was a notice, forbidding all persons from trespassing therein upon pain of prosecution, at the suit of a Mr. Nash, who he understood to be an architect, and who had thus constituted himself the commander in chief of the spot. Thus, therefore, was he deterred from all further investigation, and, in consequence, he felt it his duty to call the attention of the House and of the country to the consideration of those important concerns. The House had heard much of a celebrated canal, which was called the Regent's Canal, but which, he contended, would more properly be called lord Glenbervie's and Mr. Nash's canal, for the former had a share in it to the amount of 3,500*l*, and the latter to 10,000*l*. This canal, he understood, was to pass through the park, and, as Mr. Nash had stated in his prospectus, was likely to produce to the subscribers a profit of 11 per cent. This was a circumstance which he conceived totally disqualified the noble lord for the situation of surveyor of the park, as he could never accede to the principle of making a man a public servant, whose own interests were as much concerned in the object he had to carry into effect as those of the public, whom he was to serve. In this situation he viewed lord Glenbervie; for the noble lord had not alone a share in the canal, but had also some part of the land which was to be disposed of.—The hon. gentleman having then adverted to the good effects which resulted from his having called the attention of the House to a plan which was formerly in contemplation of erecting houses on part of Hyde Park, a plan which he had reason to believe had been abandoned, from the fact of its having been brought under public notice, concluded by moving, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that there be laid before this House, an account of all sums of money expended upon the crown lands in Mary-le-bone Park from the expiration of the lease in the same in the year 1811 to the present time."

Mr. *Wharton* could not help admiring the ingenuity of the hon. gentleman in submitting to the House at the end of the session, motions upon subjects of which he professed himself totally ignorant. He was satisfied that the hon. gentleman could have no view in the motion which he had now made, but that of calumniating the character of one of the most zealous and faithful servants that had ever been engaged in the public service; and in this opinion he was strongly confirmed, from the knowledge which that hon. gentleman must have, that no information could be given him of the description he required, by the production of the accounts for which he had moved; accounts which he (Mr. W.) had not the slightest objection to produce. With respect to the remark of the hon. gentleman, that Mr. Nash had constituted himself the commander in chief of the district, he could only answer, that Mr. Nash was a most eminent surveyor, and that being employed in that character by the Board of Woods and Forests, it became him to use all those means of preserving the property entrusted to his care that were usual on such occasions. Had the nerves of the hon. gentleman been less sensitive, and had he not been frightened by a few boards, but extended his walk a little farther, he would have soon seen that great improvements had been made, and that those improvements were likely to become still more extensive. As to the observation that the canal which had been alluded to ought more properly to be called lord Glenbervie's Canal than the Regent's Canal, he begged to state, that the term Regent's Canal was given it from compliment to his Royal Highness, and not from any share which his Royal Highness had in its construction; and as to its being called lord Glenbervie's Canal, it had no more right to be called after him than after any other person who was a subscriber to the amount of 10,000*l.*; which, when compared with the whole expence of the canal, namely 280,000*l.* could scarcely be deemed a sufficient claim for such a distinction. He was happy to find that he and the hon. gentleman agreed as to the course which ought to be pursued in the formation of the proposed park. The hon. gentleman had said that the three points which ought to be considered were, first, the increase of the public revenue; next, the laying out part of it for the public amusement; and, last, the rendering it an ornament to the environs of the metropolis. These points had happily been studiously consulted, and the hon. gentleman would find, upon reading the Report, that upon these grounds the whole of the improvements had been planned. The hon. gentleman next entered into a defence of the particular course pursued by lord Glenbervie, as the surveyor, and adduced a variety of instances, in which it appeared that every arrangement made by that noble lord had been dictated by the most conscientious disposition to promote the interests of the public. By his plans for the construction of Mary-le-bone park the increase of the landed revenue of the crown would exceed 30,000*l.* In conclusion, the hon. gentleman deprecated, in the most marked manner, the disposition which had been so frequently evinced in the House, to hold up the character and conduct of the public servants to obloquy and contempt. Such unworthy, as well as illiberal proceedings, could have no other effect than to create a tendency to revolution, and the feeling of discontent in the public breast, which for the sake of the peace, the happiness, and the prosperity of the country, it was most essential to avoid.

Mr. *Creevey* denied that he was actuated by any wish to promote public discontent, or to create a disposition to revolt; if such a disposition did exist, it was ascribable more to the conduct of his Majesty's ministers, than to any thing which he could say. All he meant to contend was, that lord Glenbervie, having a private interest in the plan which he was conducting in Mary-le-bone park, he was unfit to be appointed the public surveyor.

The Address was then agreed to.

BRISTOL ELECTION—SAMUEL FLETCHER'S PETITION.] Sir *F. Burdett* rose, for the purpose of putting two questions to the hon. gentleman on the other side of the House, the latter of which he considered of peculiar importance. He wished to be informed, first, whether any steps had been taken by his Majesty's government respecting a Petition which he had presented some time since from a person of the name of Fletcher, in which the petitioner complained of having been ruined by the conduct of some excise officers, and into which some enquiry was promised to be made? An hon. gentleman opposite had just attributed to his hon. friend a disposition to excite revolution: now, in his opinion, a revolution had already taken place—a circumstance which was sufficiently manifest from very recent proceedings: he alluded to the disturbances at Bristol. In his judgment, where the military were called out, and where the troops were ordered to fire upon the people, and death ensued—those who had given such orders were as much guilty of murder as if they had coolly and deliberately committed the crime with their own hands. This was a principle which was founded as well on the laws of God as of man, and he should not be afraid to meet any lawyer upon the question, if the House felt disposed to enter into the discussion.

The *Speaker* interrupted the hon. baronet by enquiring what notice he intended to give, as it was not the practice of the House to allow any argument on the mere giving notice of a motion, since that argument would in all probability lead to a reply, and that reply to discussion.

Sir *F. Burdett* answered, that he did not wish at that time to debate the matter, although, if he had chosen it he could easily have put what he had to observe into a shape which would even now allow him to enter into a discussion. The question he had to propose was, whether ministers were aware that soldiers presided over the poll, or had possession of the place where the poll was taken for the election at Bristol?

Mr. *Wharton* said, that with respect to the first enquiry, he could afford some satisfaction; he had examined the papers in his office with regard to the case of Fletcher, and found that they contained a complete refutation of all the statements made in the petition. If the hon. baronet should persist in a motion on the subject, he would move for those documents.

Sir *F. Burdett* gave notice, that he should to-morrow submit a motion to the House upon the subject.

Lord *Palmerston* was not in the House at the time the hon. baronet proposed his first question; but he afterwards entered and said, that he could state, if it were any satisfaction to the hon. baronet, that as was usual in all places where any election was to be holden, he had issued orders that the troops in Bristol should be marched out of the town the day before the election commenced, and that they should not return until the day after the poll had terminated. In consequence of these directions the military had been removed, but this morning his lordship had received a letter from general Oswald, commanding that district, informing him that in pursuance of a requisition signed by the mayor of Bristol and several magistrates of Gloucestershire, he had marched the East Middlesex regiment of militia into the immediate vicinity of Bristol; but the commander added, "that he had deemed it inexpedient to quarter them within the city, and had therefore procured billets for a portion of the corps in the suburbs, and other convenient situations out of Bristol." Perhaps the hon. baronet might have more recent intelligence on the subject, but if it was true that the military were actually within the limits of the city, such a step could only have been occasioned by some tumultuary proceedings by the populace which required their interference. Government, however, had received no intelligence that the troops were within the city of Bristol.

Report on the Management of Lincoln Castle.] Mr. *Giddy* presented the Report of the Committee appointed to enquire into the circumstances attending the complaints which had been submitted to the House, respecting this prison.—The Report was then read; it stated,

"That the Committee, in the course of the enquiry in which they had been engaged, had found that it would be necessary to call before them witnesses who were on the spot during the transactions which were more particularly the objects of their investigation. Upon taking this point into their consideration, however, although they felt that they had the power to call for whom they might think proper, they entertained some doubts whether the warrant they might issue to the sheriff, directing him to bring up the bodies of the persons under his charge, would be a sufficient instrument to protect him against actions of escape. In this dilemma, they felt themselves unable to proceed, and had judged it right to suspend all further proceedings, until they could obtain advice and assistance from the House."

Mr. *Giddy*, after having re-stated the difficulties under which the committee laboured, declared it to be his opinion, that from the magnitude of the task confided to them, it would be impossible for them, at the present advanced state of the session, to entertain any hope of bringing their enquiries to a conclusion, before the prorogation of parliament: as the most prudent course to adopt under these circumstances, therefore, he begged leave to move, That the Report be laid on the table with an understanding, that it should be taken into consideration at a future period.

The *Speaker* said, that no doubt as to the power of the House could be entertained. The House never could endure that their right to call for whom they might think proper should be questioned; it was a right which had at all times been exercised, and which had never been disputed.

Mr. *Brougham* was extremely desirous for prudential motives, that the powers of the House should not be again brought before the Court of King's bench, and from thence, carried by appeal before the House of Lords. This observation, he begged to assure the House, did not arise from any disposition on his part to question this power, which he admitted in its fullest sense, but from a conviction on his mind that some doubts were entertained by the Court of King's-bench as to the validity of the precept of the House. This conviction arose out of a case reported in East's Reports, by which it appeared that a person named sir Edward Price was, in consequence of an action which had been brought against him in the Court of King's bench, for an assault, imprisoned in Ilchester gaol. In addition to the punishment of incarceration, he was sentenced to pay a fine, and to remain in prison until that fine was paid. It so happened, that about that period the election of sir W. Manners took place at Ilchester, which afterwards became a subject of contest in the House of Commons, and was referred to a committee. Before this committee it was found necessary to summon sir Edward Price, and the committee issued their warrant to the sheriff of the county, directing him to bring up the body. The party who applied for this warrant, however, doubting whether such an instrument would be a sufficient indemnification to the sheriff, applied to the Court of King's-bench for an Habeas Corpus, and from the manner in which the Court acted on that occasion it was that he conceived some doubts were entertained of the power of the House of Commons. The rule was served upon the Attorney-General, upon the Gaoler, upon the Sheriff, and upon one Thomas King, at whose suit only the prisoner was then detained upon a civil process, upon an application to make the rule absolute for the grant of the Habeas Corpus, upon the ground of an affidavit of service, and of no cause being shewn. The Court particularly asked whether any cause was shewn or not, when Mr. Nolan, who was counsel for King, answered in the negative; and then, and then only, was the rule made absolute. From which circumstance it was manifest that the Court was not disposed to grant the motion, but with the consent of the private parties interested; and therefore it might be inferred, that it did not implicitly admit the power assumed by the House of Commons. This was the only case he had been able to find in the books applicable to the question now before the House, and as it implied a doubt as to the power of the House, he thought it was of great importance that the point should be clearly and definitively settled. In conclusion, the hon. and learned gentleman suggested for the present the expediency of examining the necessary witnesses by a special commission, which he said would answer all purposes, and would prevent that delay which there was every reason for wishing to avoid.

Mr. *Abercromby* conceived that the course adopted by the committee had placed the House in a very difficult situation: it was, in fact, throwing a doubt upon that power which had hitherto remained unquestioned. He was at a loss what line of conduct to suggest, but certainly thought the right of the House, to send for whom they might think proper, ought not to remain a matter of dispute.

The *Speaker* said, the House had never tolerated a doubt of their power to exact the attendance of any individual whatever. It was with great unwillingness that he suggested the propriety of the Report being referred back to the committee; but as they had thought fit to state a doubt of the power of the House, he conceived that to be the only line which could now be followed.

Lord *A. Hamilton* wished to be informed, whether it was consistent with the practice of the House that the Report, under the circumstances of its introduction, should be re-committed?

The *Speaker* said, it would be for the good sense of the House to consider whether, in the present instance, the Report should be re-committed or not. As to the propriety of such a proceeding, there could be no doubt, as the practice of re-commitment was followed every day.

Sir *F. Burdett* doubted whether or no the order of the House was a sufficient bar to the actions to which the sheriff might be liable for bringing up his prisoners, and which, in terms of law, might be construed as an escape. He knew the law of the land, but nothing of what was pretended to be the law of parliament, and wished for some information from the numerous legal characters who were members of that House. The hon. bart. did not think it fair to place thus the sheriff between the anvil and the hammer, that was, between the dread of incurring the displeasure of the House, or of being liable to civil actions. As, however, an inspection of the spot seemed necessary, he should prefer a commission.

Sir *S. Romilly* observed, that if the right of the House to bring up witnesses was to be disputed, they would be put in a worse situation than the inferior courts, and there would be, in fact, an end of their power of enquiry into abuses.

The *Speaker* observed, that the practice was uniform, and the right of the House never questioned.

The Report was then re-committed to the same committee.

HOUSE OF LORDS.

Friday, July 3.

Mr. Palmer's Per-Centage Bill.]

The Earl of *Lauderdale* wished to know whether it was the intention of the noble earl to press his motion for the second reading of Mr. Palmer's per-centage Bill that evening, particularly after the House had been fatigued with the discussion of the two subjects which stood before it, and when all the papers moved for were not yet on the table?

The Earl of *Moira* urged the important interest to the gentleman who made the claims which were involved in the Bill, and the important point of justice which the Bill also involved, as considerations, pressing upon the House at that late period of the session not to delay taking up the Bill. He was still disposed to move it that evening, if all the papers moved for were on the table.

The Earl of *Lauderdale* observed, that he had moved for an important paper respecting the revenue of the post-office not yet laid on the table, for the purpose of shewing that according to the agreement, Mr. Palmer's per-centage would amount to a much larger sum than he now claimed, and therefore, that he had given up the question of right.

The Earl of *Moira* agreed to postpone his motion for the second reading of the Bill till Monday.

INFORMATIONS EX-OFFICIO.] Lord *Holland* presented two Bills relative to Ex-Officio Informations, the object of the first of which, his lordship stated to be, to prevent delay between the commission of the offence and the filing the information, and between the filing the information and proceeding to trial; and of the other Bill to repeal so much of the act of the 48th of his present Majesty, as related to holding persons to bail upon Ex-Officio Informations.—The two Bills were read a first time, and ordered to be printed.

DISSENTERS' RELIEF BILL.] The order of the day having been read,

Earl *Stanhope* rose to move the second reading of his Bill for preventing the imposition of Disabilities upon persons on account of religious opinions, or the exercise of their religion. His lordship stated, that his Bill did not touch the Test or Corporation acts, or what was called Catholic Emancipation; the object of it merely being to prevent persons from incurring any disability on account of their religious opinions, with a proviso to prevent religious opinions from being made the stalking horse for exciting disorder. Referring to what had been said on a former evening by a noble earl (Liverpool), that no man ought to be molested on account of mere religious opinion, he entirely concurred in that sentiment, and trusted he should have the noble earl's support. The noble earl had also objected in the former measure that the whole of the intended measure was not brought forward. In this case the whole of the intended measure was brought forward, and he trusted that no shifts or devices would be attempted to defeat it. The noble earl had also said, that a Protestant establishment was the best, because best calculated to give an enlarged and liberal toleration. He (earl Stanhope) gloried in being a Protestant: the right of private judgment, and consequently the most liberal toleration to all religious opinions, being the essence of that religion. The difference between the Catholic and Protestant was, that the former contended that God had not only given a book of revealed religion, but had also given a Church to interpret that book, and that no other interpretation but the interpretation of that Church was right; the Protestant contended for the unlimited right of private judgment. The unlimited right of private judgment in matters of religion, was what he was contending for, and it was the object of his Bill to authorize it by law. His lordship proceeded to quote several old statutes, for the purpose of shewing the absurdity and injustice of the provisions formerly made for restraining religious opinions, amongst others enacting that persons not going to church for a month, should forfeit 20*l.* and find security for good behaviour for a year, but that the penalty though tendered might be refused, and the party forfeit one third of his lands, tenements, and hereditaments. At the present moment, it was physically impossible for a large proportion of his Majesty's subjects to go to church, for it appeared from the diocesan returns printed by order of the House, that 4,000,000 of persons in England had not the means of attending church, there being that number more than all the churches could contain. This Bill he contended was peculiarly called for, in as much as it appeared by the same returns, that whilst the number of places of worship of the Established Church in England, were 2533, those of Dissenters were 3454, thus proving that the majority of the people were non-conformists; and taking into the account the

Church of Scotland, to which the greater part of the inhabitants of that country belonged, and the Catholics of Ireland, forming a large majority of the population of that country, it was evident, that a very large majority of the population of England, Scotland, and Ireland, were non-conformists. He trusted, therefore, that he should not hear one argument against this Bill used on former occasions, that the majority ought to bind the minority in matters of religion. Proceeding in the quotation of old statutes, his lordship dwelt much upon the injustice and oppression of those enactments, the object of which was to compel persons under a heavy penalty to attend church on Sundays and holidays; and not merely this, but persons were rendered liable to a penalty of 10*l.* for every servant in their house that did not go to church, for every visitor also, and for the servant of every visitor. After quoting several other enactments in various old statutes, enforcing still more oppressively the other provisions on the same subject, he proceeded to adduce a variety of instances of absurd enactments in old statutes, amongst others some in the reign of Elizabeth, that certain kinds of fish should be eaten on particular days, and that the fish should be all eaten before tasting meat without fraud or cozenage. It was also enacted, that flesh should not be eaten on particular days without a licence. In the reign of James the First it was enacted that no persons should entertain evil spirits or feed them with fish, flesh, or vegetables. Another curious enactment was, that a man should be deemed guilty of bigamy who married two wives or one widow. Another enactment instanced was, to prevent women from leaving this country because they were popishly inclined. His lordship also dwelt much upon the subject of excommunication, instancing a variety of enactments, and canons of Church, respecting it, for the purpose of shewing their absurdity and injustice. He thought that the repeal of the enactments he had mentioned would do no good, whilst the power of the Ecclesiastical Court remained with respect to excommunication. He related an anecdote of a noble lord going to an eminent painter to desire him to paint a fool, and the manner proposed was this, to paint a man getting over a park paling set with tenter hooks, whilst an open gate was near him by which he might have entered He would propose to paint a rank ideot in the following manner; to represent him getting over a park paling set with tenter hooks, while before him was a wall fifty feet high which he could not get over, and on one side an open gate by which he might enter without difficulty and avoid the wall. Now what he meant by this was, that the paling set with tenter hooks was the statutes he had quoted, the high wall was the ecclesiastical jurisdiction, and the open gate was his Bill, containing a short enactment declaring the liberty of religious opinion. The subject of uniformity his lordship illustrated by an anecdote of the chapel clock with four faces in Vere-street, near Cavendish-square, which on passing one day he looked up to, to observe the hour, and observed, that on one of the faces it was five o'clock; but having an angular view, he saw that the second face pointed at a quarter past five: thinking this very odd he looked at the third face, and found that to point at half past five: this was odder still: he looked at the fourth face, and found it was three quarters past five. Adverting to a variety of enactments respecting the book of Common Prayer, his lordship observed upon the differences that existed in the copies of that book, as published by the Universities of Oxford and Cambridge, stating that they amounted to 4,000 and odd. He quoted an opinion of lord Mansfield, delivered in giving judgment in an appeal in that House, stating, that conscience was not amenable to human law, or controulable by human tribunals, and urged this in support of his Bill, the object of which was, to give liberty of conscience and the right of private judgment in matters of religion without interruption.—His lordship avowed himself a decided enemy to toleration, because it implied that certain individuals were permitted, as a matter of favour and sufferance, to worship their Creator in the way they deemed proper. It acknowledged the right of those who granted toleration to be, if they pleased, at any time intolerant. For this reason he had always condemned and hated the statutes of the 29th Charles 2, and the 1st William and Mary, ch. 15, because they were called Toleration Acts: in his lordship's opinion, what was called toleration only riveted the chains of religious slavery. One Mr. William Smith had lately been dabbling in these matters, but not with much success: he proposed by his Bill a completely new system, according to which, licences were to be granted, not only to a man to preach, but old women were not even allowed to say their prayers without it—people were not to be allowed to exercise their natural rights, without permission from Mr. William Smith. The quantity of licences required would be innumerable, and it would have been a great improvement of the scheme, if Mr. Chancellor Vansittart had thought of making it a very fruitful source of revenue, by imposing a stamp duty of *5s.* or *10s.* on every licence: the produce would be incalculable; almost as much as the tax proposed by a learned but humorous bishop, who said that he could point out to government a mode of raising a very large sum of money. Of course all the ministers were eager to be let into so advantageous a secret, thinking that they personally should be relieved of some of the burdens they were in common compelled to sustain: but the reverse was the fact, and they were not a little disappointed, and it drew down their faces to an enormous length, when the prelate informed them that he suggested a duty upon adultery and fornication. His lordship would not detain the House longer, although the question was of the greatest importance. He conjured the right reverend prelates well to weigh the subject, divested of those prejudices which they naturally cast into the scale: he addressed them not only on behalf of the Dissenters, but on behalf of the Protestant religion. And for the Dissenters he might address them in the eloquent words of St. Paul, when before Agrippa—"Would to God that not only those, but all who hear me, were not only almost but altogether such as I am—except these bonds." His lordship expressed his gratitude to Heaven that there was now some prospect that these bonds would be broken. Be the consequences what they might, he would be one of the first to attempt their destruction.

The question was then put, that the Bill be read a second time. A division took place, when the numbers were, Contents 10; Not-Contents 31. The Bill was accordingly thrown out.

Lord *Holland* begged to ask the noble earl opposite, whether by rejecting the Bill brought in by earl Stanhope, he meant it to be understood that nothing would be done by government with regard to the disabilities under which the Dissenters laboured? If so, he should feel it to be his duty, however unequal to the task, to submit to the House some proposition upon the subject.

The Earl of *Liverpool* replied, that he felt not the least difficulty in informing the noble baron, that he was thoroughly convinced that some alteration of the existing laws was absolutely necessary, and he would add, that the subject had most seriously occupied the attention of the cabinet, and of himself individually. Every person at all acquainted with the subject, would be aware that many difficulties were to be overcome, but his lordship hoped in the course of a few days (although he by no means could pledge himself) to bring forward a Bill to apply a remedy to the evils now complained of.

Lord *Holland* expressed himself perfectly satisfied with the candid answer of the noble earl, and should certainly feel it his duty to afford him every assistance in his power. He must, however, observe, in reference to the Bill which had been thrown out, that no measure, except it was grounded on the same principle, namely, that of the most complete religious freedom, could operate effectually.

SINECURE OFFICES BILL.] Earl *Grosvenor* rose to move the second reading of the above Bill. The main principle of the measure was so extremely simple, that he did not think any noble lord could object to it. That principle was merely the abolition or regulation of offices, which had no official duties connected with them. A rumour, however, had reached him, that it was intended to oppose the Bill. He would, therefore, endeavour to anticipate and answer any objections which might be urged against it. If the length of time, during which the present system had existed, were advanced in its support, it should be recollected that it had not been without the exertions of the wisest and best men, in opposition to it—and amongst these, sir Matthew Hale and lord Holt had frequently contended against the abuse, as well of sinecures as of reversions. If it were said, that though the principle were good, the Bill should be thrown out, in consequence of its enactments, such an argument must be considered as of no weight in the present stage of the Bill, as the enactments did not, in the smallest degree, impugn the principle. Even he, who proposed the second reading, would probably object to some of the enactments, though his objections were certainly not numerous. The lateness of the session might also be alleged as a reason for opposing the Bill; but when it was considered how often the principle had been debated, on bills of a similar description, that objection must appear of no weight. He confessed he had not any great hope of the Bill being carried into a law, when he saw the persons to whom the administration of the country was confided—for the noble lords opposite had always set their faces against every species of Reform. As, however, they had been so complying of late, on various other occasions, perhaps they might be so on the present. Had a change taken place in the administration, his hopes would have been much stronger. His lordship concluded by moving the second reading of the Bill.

The *Lord Chancellor* did not think the present a fit occasion for discussing the respective merits of rival administrations; indeed, the subject had already been satisfactorily decided. The noble earl had asserted, that the present ministers were uniform enemies to all kinds of reform; such was by no means the fact: they opposed innovation, until it was fairly proved to be beneficial; and refused to destroy a system which for ages had secured happiness, until it was established that more happiness by a change could be produced. With regard to the Bill before the House, the object of it was now obvious, though the measure itself, in many parts, was scarcely intelligible. His lordship's objection to it was, that it contained hardly a clause that could be executed: the real title should have been " a Bill to sweep away the whole power of the crown, to grant any offices of any kind, at any time." This wise measure, as appeared by the schedule, was to destroy no less than 325 places. Of these the noble earl had asserted one-twentieth were sinecures. Where that information was obtained he could not tell, and he would not take for it the bare assertion of any man. Such a Bill as that, the second reading of which was now moved, never met the eye of any lawyer that had lived since the establishment of law. His lordship proceeded to shew the folly, impracticability, and inutility of the Bill. Not satisfied with interfering with offices in the appointment of the crown, it went on to deprive the courts of justice of those facilities without which the greatly encreased business of those courts could not be carried on. The fees too, of which the officers were to be curtailed, were not, as they ought, to find their way back into the pockets of the oppressed, and in general, poor litigant, but were to form an addition to the consolidated fund. There was one absurdity, which above all others, seemed fatal to the Bill as it now stood, and which seemed interwoven in the measure, namely, that on the death of any one person enjoying a sinecure of 2,000*l.* a year, it was in the power of the Prince Regent to grant an annuity to the amount prescribed, not to one but to all the persons in table A, of whom many might now be found in that House; so that instead of a saving, a great increase of expenditure would be occasioned. As to the abolition or reduction of Cursitors of Chancery, and Filazers in the Common Pleas, he would venture to assert, that neither the noble earl nor others who proposed the reform in the offices, knew at all what the nature of the offices was. He concluded by moving that the Bill be read a second time that day three months.

The Marquis of *Douglas* spoke in favour of the Bill, not that he did not say there were objectionable features in it. Let those offices, however, which were not sinecures be struck out of it, and let the abolition of those which were really and wholly sinecures, be carried into effect.

Lord *Redesdale* spoke against the Bill. He himself, and so perhaps were a thousand others liable, for instance, to become a cursitor in Chancery; and this Bill took that right from him. This system of abolition often cost the country more money than it saved it. In one case he knew the abolition of a place of 80*l.* a year, cost the country 10,000*l.* As to the principle of making every office where a deputy acted, to be executed by the principal, he did not see how that could apply in the case of sheriffs. It was the responsibility of the principal that made him useful.

Lord *Holland* supported the Bill. After the speech of the noble and learned lord on the woolsack, he could not but say, that there were many imperfections in it, but that was no argument against the principle of it; they might be amended in its after stages. Whoever voted against the Bill in its present stage, should consider, that he opposed it, not on the grounds pointed out by the legal subtlety of the learned lord, but on the principle. It was said that the Bill was never under lawyer's eye. Lawyers were to a Bill just as love to a poet. It could not be well drawn up either with or without them. If a lawyer's assistance was not called in, then all his ingenuity went immediately at work to find out, as in the present instance, all its petty blemishes; and if a lawyer was employed, ten to one if at bottom he was not an enemy to its principle. As to what was said concerning the fees in the courts of justice, he hoped that the noble and learned lord who spoke so feelingly on the subject, would apply his mind to the production of some remedy for that great evil. Indeed, he was astonished that in the whole of his parliamentary life he had never brought such a subject before their lordships. The noble and learned lord had also said, that the present ministers could effect nothing in favour of the present Bill. Undoubtedly his lordship's colleagues were by no means inimical to sinecures. Were not all of them the holders of sinecure places? Could any thing be more pleasant than their mode of administration? They gave themselves not the least trouble about Catholic Emancipation; and their measures on the Orders in Council they took from the other side of the House. They had, therefore, good reason to be lovers of sinecures.

Earl *Darnley* was of the same opinion. He thought that no administration that refused to recognize the abolition of sinecures as a principle, could carry on the business of the country to advantage at the present moment.

Earl *Grosvenor* in reply remarked, that not one word had been said against the principle of the Bill.

The House then divided on the amendment of the Lord Chancellor. Contents 35, Non Contents 8; Majority against the Bill 27.

HOUSE OF COMMONS.

Friday, July 3.

STATE OF LANCASTER GAOL.] Sir *Francis Burdett* did not think it would be necessary for him to detain the House long on the motion he had precedently anounced, for an enquiry into the state of Lancaster Gaol; he conceived, at the same time, that no subject could be more important, for men influenced by principles of justice and liberty, or even by sentiments of humanity. The abuses complained of, affected men in the most helpless state imaginable—they were either people suffering the sentence of the law, which in no case could be exceeded; or men who, through misfortune, perhaps without any fault of their own, had been imprisoned for debt. In that defenceless situation, although under the immediate and special protection of the law, they were too often the victims of abuses and of oppression—with this aggravation, that their complaints could seldom be heard. In the situation in which they were placed towards gaolers, those last persons, at whose mercy they were placed, had a direct interest in depriving them even of the scanty comforts a gaol could afford, in order to derive emolument from the sale of indulgences—a practice he could not sufficiently reprobate; and the abuses likely to result, might be easily foreseen. In the peculiar situation in which he stood towards the House, respecting this motion, he could not enter at large into the general state of the gaols throughout the kingdom. This was, however, a subject highly interesting to the public, but he should reserve it for a future opportunity. As to Lancaster gaol, he stood pledged before the House, and as he had brought the subject forward, he thought himself bound in duty to lay before them the information he had subsequently received, instead of keeping it in his pocket. That information was, however, of such a nature, that he by no means wished to pledge himself for the truth of it; he would submit it to the House as he had received it, and if the accusations it contained were false, let the blame fall on the authors as it ought to do. On the other hand, he had heard such an excellent character given of the keeper of Lancaster Castle, from the most respectable quarters, that of all the gaols in the kingdom, he should have expected that of Lancaster to be the most free from abuses. The hon. baronet would observe, at the same time, that a character, however respectable, could not be admitted in evidence against positive facts, much less could it be pleaded as a bar to enquiry. He might divide the charges transmitted to him under three heads. Some affected the magistrates; others affected the gaoler; and some the coroner, a person whose office the hon. baronet was sorry to observe was too much neglected, without people ever considering that a due and skilful execution of the duties attached to it was one of the most powerful means to protect the life of the subject from insidious attacks. As to the first part, namely, the charges against the magistrates, he held in his hand the copy of a letter which had probably been addressed by them to most members of the House, and by which, on the first rumour of complaints being brought forward against Mr. Higgins, the keeper of Lancaster Castle, they had hastened to justify him. This haste the hon. baronet condemned: it looked like an attempt to supersede the necessity of an enquiry, and the magistrates might have rested satisfied with the general good character they had given to Mr. Higgins. [Here the hon. baronet read abstracts of that letter, commenting on it as he proceeded.] He disapproved in strong terms of solitary confinement, which he contended was in its nature exposed to abuse, and must be abused unless under the superintendance of such a man as Mr. Howard himself. It was a system calculated to give rise to the evil of foul oppression covered with rank hypocrisy, as he had found in the instance of the Cold-bath-fields. He recollected that the method of investigation adopted there was, that of calling upon Aris himself, and then upon the persons complaining to give evidence in the presence of him they feared. It was the same way in Lancaster Castle; and as Aris had made a sort of family compact of the business, so Mr. Higgins had one son acting as his deputy, another as an attorney, and a third as a sort of assistant surgeon to the prisoners. The magistrates who had examined into the circumstances of this case, came to the resolutions which he held in his hand, acquitting him of all the charges; and stigmatising the complaints as vexatious and unfounded. The resolutions proceeded to state, that a disposition had of late manifested itself among the prisoners to resist the salutary authority of the governor; but this, he thought, rather improbable on the face of it. Great praise was also given to the voluntary and manly manner in which some of the prisoners had come forward in behalf of Mr. Higgins's character, but that was represented to him as proceeding from the circumstance of his having lent money to those persons. The charges against the jailor were, that the filth of the gaol was not cleared away for four days; that he did not allow small parcels of coals to be brought to the prisoners in cold weather, when he knew that they could not afford to buy large quantities; another imputed bribery to the turnkey, and the magistrates permitted the turnkey to defend himself by his own oath against the allegations. The prisoners who had complained represented, that the prison allowance was withheld from them by the magistrates—an assumption of power to which they had no right, and which they had exercised in a manner the most cruel. It had been stated to him, that a quantity of oak boughs were brought into the prison, and that a rejoicing took place on his acquittal, which was not a very orderly proceeding in a gaol. The sheriff, it should be observed, had referred their complaints to the committee of magistrates. He believed it was a general abuse in all gaols, that a great part of the space intended for the convenience of prisoners was applied to the convenience of the jailor himself, and he understood that one of the turnkeys of Lancaster castle was employed in a hothouse. Another charge alleged against Mr. Higgins was, that he did not visit the rooms of the prisoners for ten months. He then proceeded to read a letter which he had received from a person of the name of Jacob Wilson Wardel, on which he principally depended for convincing the House of the necessity of investigation. The letter stated, that on the 4th May, horrible screamings were heard in the prison proceeding from a person named John Rawling. Several of the debtors had heard him exclaim, as the turnkey was flogging him, "Murder! kill me, kill me!" On the Monday following he was dead. It was understood in the yard, that he was removed to a cell under ground, where his cries could not be heard; and on Tuesday morning it was given out that he had hanged himself with his stockings. This man was, he understood, a lunatic, and had been confined three years for murder. The inquest which sat upon the body consisted of six debtors, and these not the most respectable, and six stone masons employed in the gaol. The body was not stripped, and the only mark of violence on the face was one of the eyes being blackened. Two persons who had assisted in the washing of the body described it as a mass of congealed blood. He believed every one would agree with him, that a case of this nature ought to be enquired into. In corroboration of the minor points of accusation, he read a letter from a person of the name of John Spencer, who was formerly confined in Lancaster castle for debt, stating that he had broken his leg while in confinement by a fall, and that the door was shut against the admission of a surgeon for whom he had sent, on which account he was lame to this day. It stated further, that the county allowance was withheld from him, and his son prevented from seeing him, merely for having modestly remonstrated. He should not dwell upon the facts, or endeavour to excite any prepossession against the individual who was concerned, but should merely content himself with stating them, unless his motion should be opposed. This he did not expect, especially as there was a Petition from Mr. Higgins himself, demanding enquiry. He was proceeding to quote a pamphlet written by the rev. Mr. Bingham, who was confined in Horsham gaol, on an unfounded suspicion of having set fire to his house, in order to defraud the insurers, when

Mr. *Dent* called the hon. baronet to order, as he was travelling into cases that had no application to the question.

Sir *F. Burdett* said, he wished the House to be aware of the system of imprisonment which was going on in the country, but he should not persist. Now, for the first time since he sat in parliament, he saw a disposition in the government of the country to attend to complaints; and though he could not but feel a little jealous of commissions, after the commission of the Cold Bath fields prison, and the commission of Kilmainham gaol in Ireland, which, after detecting seven instances of gross misconduct, concluded with a panegyric on Mr. Dunne and Dr. Trevor, still he felt confident that the government would do what was right. He concluded with moving an Address to his royal highness the Prince Regent, "praying that he would be graciously pleased to order a commission to be appointed for the purpose of enquiring into the charges made against the inspecting magistrates of Lancaster castle, and the general state of the gaol."

Mr. *Wilbraham Bootle* said he felt himself placed in a difficult situation, by the new matter which the hon. baronet had introduced, and entered into an explanation on the different points contained in the Petitions. The circumstance of one of Mr. Higgins's sons being an attorney, and the other an assistant surgeon, could not be imputed as a fault to him, and therefore could not affect the case. As to the prohibition of bringing small quantities of coals to the debtors, and the circumstance of rejoicing with oaken boughs, he did not believe them; and having often inspected the gaol himself, he could state, that he had never seen a hot-house attached to it. The jailor had been called a gardener, only because he had a small garden, not half the size of that House; and also described as a manufacturer, only because he employed, for the benefit of the county, those persons who had been condemned to hard labour. A spirit of discontent had sprung up a short time since among the prisoners, and he believed that the person from whom the hon. baronet had his information, was at the bottom of it. The gaol was at present unusually full, which, of course, must produce some inconvenience, and give some colour, though it could not justify complaint. He then read a letter from the high sheriff, stating that he had investigated all the prisons under his jurisdiction, and bearing testimony to their salutary regulations. It had been brought as a charge against the jailor, that the county allowance was withheld; but the jailor had no controul over it whatever, it was ordered by two of the county magistrates, desiring that it should be paid until further orders, which proved that it was revocable. Here he read several Petitions in favour of the conduct of Mr. Higgins, and various depositions on oath, contradicting the facts asserted in the complaints against him. With respect to the case of Rawling, he had been acquitted of murder on a special verdict of insanity. There were a number of unfortunate persons in the same condition in the gaol, and the gaoler had the care of all those unhappy individuals, without the conveniences that were found in other places. Nothing, he was sure, could appear more unlikely to the House, than that they would whip a person to death, under such circumstances of notoriety. A member of parliament was certainly bound to present all well-founded petitions; but he ought to enquire into the truth of the facts, or the table would be filled with frivolous petitions. The evidence was strong in the gaoler's favour, and he was himself most anxious for enquiring into his conduct. He did not mean to shut the door against complaints; but he thought it would be a great loss of time to pay attention to loose allegations. To the mode of enquiry by commission he had no objection; but it remained for the House to consider whether a case had been made out to call for any.

Lord *Castlereagh* thought the nature of the motion by no means objectionable;

but the hon. bart. had put the House in such a situation, that if they were to agree to the motion they would not come up to his view of the subject. If they called upon the executive government to issue a commission for the investigation of complaints laid before the House in petitions, a great part of the case, as stated by the hon. bart. was not in the petitions, and therefore would not be included in the operation of the commission. He allowed it was the duty of a member of parliament to present petitions to the House; but he agreed with his hon. friend, that before a member called on the House to act upon them, he ought to be able to state that he had general reasons for supposing that the alleged improprieties had taken place. The case, as made out by the hon. baronet, was an *ex parte* statement to which he could not pledge himself, and that case was rebutted on the other side by affidavits of other persons. If an enquiry were instituted under such circumstances, they must lay it down as a principle, that whenever a petition came before that House, however unsupported the allegations it contained, the subject must be sent to the executive to be investigated by a commission. He would recommend it to the hon. baronet to withdraw his motion, and then if he pleased he could charge himself with an enquiry into the subject, and if he should see it right, he would again bring it forward when he had acquired more real knowledge of the case. He would rather the hon. baronet should withdraw his motion than oblige him to give a negative to it.

Mr. *Brougham* said, that having on a former occasion borne his testimony in favour of Mr. Higgins, the gaoler's character, he had since, as he found this motion was persisted in, made further enquiries concerning it, and had received from several most respectable persons, his particular friends, accounts which in every respect confirmed the opinions he had before given, and shewed that Mr. Higgins was a man of great humanity and liberality. He thought, however, if the House should agree to the enquiry, that the noble lord was mistaken respecting the commission doing no service; for if it were granted, the commissioners might, in his opinion, take notice of all matters relating to or which had occurred in the gaol since Mr. Higgins was the keeper of it, though not specifically mentioned in the motion.

Sir *C. Burrell* spoke against the motion, and vindicated the Sussex magistrates for adopting the prison dress, which he insisted was useful and proper.

Mr. *Creevey* spoke highly in favour of Mr. Higgins's character, whom he knew well; but said he should vote for the motion, because he thought the enquiry would be of advantage to him.

General *Tarleton* said, he wished an investigation, but he thought this would be an inconvenient time to bring it forward; he should, therefore, if the motion were now pressed, vote against it.

Mr. *Burton* objected to the motion, as tending to introduce most mischievous precedents: the laws of the land gave an easy and ready remedy and redress. It must be known to all persons confined for debt, that they had ample remedies provided for any ill-usage offered to them, without coming to that House for relief. Besides the common law, there was the 14th of George the 2d, and another statute passed in the 31st of his present Majesty, (called Powis's Act) appointing certain magistrates in each county to visit the prisons, and to do justice in a summary way in all cases where complaints were laid before them. It must also be known to all debtors, that by the 11th sect. of the act, called the Lords' Act, every debtor who has cause of complaint had nothing to do but to petition the court in which he was sued, or the judges on the assizes, and they were to take summary notice of it, and to give him redress. The House ought to act in conformity to right and justice, but not to give way to complaints brought forward on loose grounds.

Mr. *Lockhart* objected to the motion.

Mr. *Martin*, of Galway, said, if government would engage to ease the hon. baronet of his business, and to bring it before the House at a future period, he thought they might be able to manage the matter more effectually than any other person; but if they would not do this, he thought the motion was highly important, and would certainly vote for it.

Mr. *Foley* said, he thought some part of this charge absolutely demanded enquiry. It had been stated, that in the case of the man who was said to be murdered, the body had not been stript when under the inspection of the coroner's inquest. This was certainly very improper, for the law required positively, that if a person had been buried, and well founded suspicions arise afterwards that he came unfairly by his death, such persons should be dug up again, and why? that the body might be viewed by a jury; he thought in that instance there had been a culpable negligence, and should therefore support the motion.

Sir *F. Burdett* replied, he thought it hardly fair that he should be called upon either to pledge himself for the truth of what he had advanced, or see his motion opposed as unworthy of attention. He had so far informed himself on the subject, that he knew the person writing to him was entitled to credit. Though he had a very favourable impression on his mind with respect to Mr. Higgins, and though he did not doubt but he was very sincere in desiring an enquiry, still it appeared to him very extraordinary that the enquiry should be forestalled, as it had been to night by the statement which they had heard. The conduct of the magistrates too, in taking away the prison allowance of bread and potatoes, which he was persuaded was illegal, to him appeared very extraordinary, and in his opinion made a strong *prima facie* case. The allegations brought before the House, and particularly those which set forth that a man had died in the prison of ill treatment, were not to be got over by general statements, however good the character of Mr. Higgins might be proved to be. These were circumstances which, in his opinion, very loudly called for an enquiry, He had heard no argument that could make him think it was not his duty to press this motion on the consideration of the House. He thought a parliamentary case had been made out. The enquiry, he contended, would not be inconvenient, and he should therefore feel it to be his duty, unless government undertook to make some enquiry into the business, to press the motion.

Lord *Castlereagh* explained. He thought that the hon. baronet had not made out a case for a parliamentary enquiry, and that if the motion were acceded to, it would not answer his purpose. If the hon. baronet had any communication to make, that he might think ought to induce government to appoint a commission to investigate the business, he would be happy to receive it out of that House, and if it appeared in the same light to him as it might to the hon. baronet, he would use his endeavours to propose the appointment of a commission without the interference of parliament.

Mr. *W. Smith* supported the motion.

Mr. *M. Sutton* objected to the proposed enquiry.

Mr. *Dent* thought, if the hon. baronet could not state that he had seen the coroner's inquest on the man, who it was said had died through ill treatment, that a parliamentary case was not made out. With this feeling, if the hon. baronet founded his motion on the character of Mr. Higgins, he, from an anxious desire to do justice to the character of his friend, and he was proud to call Mr. Higgins by that name, would vote with him; but if it was founded on the Petitions on their table, he must vote against him.

Sir *F. Burdett*, after a short conversation with lord Castlereagh, consented to withdraw his motion, with an understanding that some enquiry would be made by government.

The motion was accordingly withdrawn.

East India Company's Loan Bill.] Mr. *Wallace* rose to move the order of the day for the House going into a committee on the East India Company's Loan Bill. He was sorry that he could not bring forward an Indian Budget, from the impracticability of getting the accounts made out sufficiently early to bring them forward in the course of the present session. He would, however, give a short and very general statement of the affairs of the Company:—

	£.
The Revenue for 1810, was estimated prospectively at	16,105,594
The actual amount was	16,679,198
Making an excess of..........	573,604
Having explained the causes of this excess, he stated the charge on the same to have been estimated at	13,876,102
The actual amount had been	13,909,983
Making an excess of............	33,881
The nett revenue of the three Presidencies had been estimated at	2,229,492
The actual amount had been	2,769,220
Making an excess of	539,728
The surplus revenue applicable to the interest of the debt, was	539,000
The estimate of the sum necessary to pay the interest of the debt had been taken at	2,050,560
It had amounted to	2,196,560
Making an excess of	146,000

The right hon. gentleman proceeded to state and to explain various parts of the revenue and expenditure of the Company, through which, from the noise which prevailed in the gallery, we could not pretend to follow him.

	£.
The debt of the Company amounted in March, 1811, to	13,759,782
In 1812	13,885,782
Making an increase of	126,000
Having given the estimates and actual amount of the assets, and goods in warehouse, he stated the Estimated Receipts for 1812, to have been	5,045,600
Their amount was	5,531,422
Making an excess of	485,822
The Estimated Balance of Cash, for March, 1812, was	3,551,672
The Actual Balance had amounted to	995,334
Leaving a Deficiency of	2,556,278

The above Statement would shew the necessity the Company had been under, of coming to parliament. He proceeded to explain the situation of the Company, with respect to their bond debts; and he concluded a series of statements, of considerable length, by observing, that those, though not favourable, nor yet very unfavourable, to the concerns of the Company, were, perhaps, less unfavourable than gentlemen might have been led to expect. The revenue yielded to the country, had, in the last year, amounted to 400,000*l.*; in the present year it was estimated at 250,000*l.* He would not talk of the prosperity of the East India Company, till a different balance between their expenditure and their income could be shewn, than presented itself at present. He looked for an improvement from a reduction of their expences; and, under an impression that that might reasonably be expected, he trusted the House would agree to the Resolution. The first object of the Bill would be to carry into effect the Resolution of the House; but the most material part of it would be to guard the country against any loss, by making an effectual provision for securing the payment, both of the principal and interest of the loan.—With this view, it was proposed that a portion of it should be paid off before the proprietors of Bank Stock made any dividend whatever. The sinking fund for the liquidation of the debt, was on a plan similar to that of the sinking fund for the payment of the national debt, with this difference, that it was larger in proportion, and would, it was calculated, liquidate the whole in twenty years. The situation of the Company, he trusted, would be such as to enable them to extinguish a considerable portion of it in a short time, and the whole of it in a much shorter time than the hon. gentlemen opposite might anticipate.

Mr. *Creevey* rose and said, he objected to the motion. So far, he said, as the statement of the East India Company's affairs went, as just made by the right hon. gentleman, although it was quite unexpected by him, he had no fault to find, he believed it to be perfectly fair, and it was in strict conformity to what he (Mr. Creevey) had at all times said and predicted upon this subject: what, however, he did find fault with was, that this statement, so officially made, was not done in the usual parliamentary manner, viz. in the shape of written resolutions of facts to be recorded on the journals, instead of being thus delivered *viva voce* only and by surprize, and so to be no more heard of, or of any further use.

He must take, however, the right hon. gentleman and his statement for the present as he found them, and they were perfectly sufficient for his present purpose.—The leading facts mentioned by the right hon. gentleman were these, that in the year 1810-11, the net receipt of the whole territorial revenue of India, after the payment of every species of charge whatsoever, was 450,000*l.* and that the estimated net receipt of the same revenue for the years 1811-12, was 250,000*l.* These facts in themselves proved every thing that he (Mr. Creevey) had ever said upon the absurd calculations upon which the Act of 1793 had been constructed; that act was the lease under which the Company now held the territorial Indian revenue and their exclusive trade; it recites as a fact, that the gross amount of the Indian territorial revenue was then 7,000,000*l.* per annum, and it assumes that after the payment of every species of charge whatsoever, there will be an annual net surplus of 1,000,000*l.* sterling. This estimated annual surplus of 1,000,000*l.* sterling, is the sole foundation of the Act of 1793; it is to be laid out or invested in India and China in the purchase of the various commodities of those countries, and such commodities when brought home to the Company's warehouses and sold, are to constitute the only source from whence the Company's dividends, or the remuneration provided for the public by the Act of 1793, are to proceed.

This night then (said Mr. Creevey) we learn from the right hon. gentleman himself, that in this 19th year of this lease and within two years of its termination, although this territorial Indian revenue has, by conquest and cession, been swelled from 7,000,000*l.* to 16,000,000*l.* yet the estimated net revenue for the present year, after payment of all charges, is only estimated at 250,000*l.* although a surplus of 1,000,000*l.* was calculated upon from a revenue of 7,000,000*l.* only, by the Act of 1793; this too, let it be remembered, is in the 6th or 7th year of general peace in India; for during the Mahratta wars, and some years after this revenue had been annually inadequate to meet the charges, by at least 2,000,000*l.*—This fact then, of the gross fallacy of the whole foundation of the Act of 1793, upon which the public have for 19 years been excluded from trading to the East Indies, should not only be admitted, as it now is by the right hon. gentleman, but it should be distinctly recorded in the shape of a resolution upon the Journals; it should be followed by other resolutions of facts, equally admitted to be true by the right hon. gentleman, viz. that at the commencement of the Company's lease in 1793, their debt in India was 8,000,000*l.*, and was to be reduced to 2,000,000*l.*, whereas it is increased to 28,000,000*l.*; that their bond debt at home was 3,000,000*l.*, and was to be reduced to 1,500,000*l.* whereas it has been encreased to 7,000,000*l.*; that upon a general estimate of the debts and assets of the Company, in 1793-4, they had a surplus of 4,000,000*l.*, whereas now, within two years of the expiration of their lease, they have upon the same estimate a deficit of 7,000,000*l.*, exclusive of their capital stock; that of the 7,880,500*l.* subscribed at different periods by the proprietors, as capital stock, the whole is spent with the exception of 1,200,000*l.*, and that this sum is mortgaged to the Bank for 7,700,000*l.* that the 500,000*l.*, which by the Act of 1793, was to have been annually paid the public, as the price of the exclusive trade, has been, in 19 years, only once paid; and that in 1810 the Company borrowed from the state 1,500,000*l.*, making with the sum of 2,500,000*l.*, sought to be borrowed by the present Bill, 4,000,000*l.* of money.

These facts being established, (Mr. Creevey said) let us proceed to the demands now made by the Company in the Bill about to be committed:—It asks a loan from the state of 2,500,000*l.*, and why? What are the pretences for this application? The history of the present immediate difficulty of the Company was this:—Some years past in India, when the different governments in India found infinite difficulty in procuring sufficient loans, from the civil and military servants of the Company, to meet the enormous expenditure of Indian wars, even at the high rate given of 12 per cent. for such loans, they advertised, as an additional bonus to lenders, that they should be repaid in a given time, and have an option of being paid in London or in India. This circumstance it was that gave rise to what were called optional loans, and their amount was as high as 17,000,000*l.*: the ground of the present application of the Company, is, that part of this optional loan has become due this year; that payment is demanded (according to the terms of the contract) in London, that the Company have no means to make such payment, and that therefore they hope we will be kind enough to pay it for them. And again, said Mr. Creevey, why? Were we any parties to those optional loans from your servants in India to your Indian government—not a bit; you have not a particle of sanction from parliament for any such transaction; it is in direct violation of the Act of 1793, which says, no more than 500,000*l.* Indian debt shall be remitted home in one year; all the contracting parties at the time of the transaction, the Company's servants, the Indian government, and the directors at home, knew very well these optional loans could never be paid at home out of the funds of the Company; they did the thing with their eyes open, and for one, the hon. member said, he begged to leave the parties to settle the thing amongst themselves. There was nothing, he said, to him so utterly incomprehensible as the language so generally in circulation: "Well, but the Company must be assisted," "it is a very hard case upon their creditors." To the justice or expediency of the first part of this proposition he never would assent, and as to cases of hardship, he would state it as an unparalleled hardship upon this country, that at a period when according to the opinions of the best critics on these subjects, the state of public credit would never again permit the nation to raise a further loan, that at such a period this very state of public credit was greatly owing to this addition of 2,500,000*l.* for the Company to the other part of the public loan; as to any claim upon our justice, it was really too much to be insulted by the mention of such a name, after nineteen years' exclusion of the commercial interests of this country from trading to the East Indies, and after the uniform violation of every condition or engagement in return for which such exclusive trade was granted. The hon. gentleman, the member for Colchester, the deputy chairman of the East-India Company, and representative in that House (as he might be said to be) of the Great Mogul, had urged on a former night as an argument in favour of the Company's claim, that they paid annually 4,000,000*l.* to the state in duties, and that such a sum was not to be sneezed at. Mr. Creevey said that as to the sneezing, it was quite a new mode to him of being affected by Indian subjects, and he certainly felt no symptom, either then or formerly of any such agitation: if however the director meant to convey, by this novel illustration, that 4,000,000*l.* was a large sum of money, Mr. Creevey said he met such observation, by saying, that one of the great arguments for a free trade to the East Indies was, that the enterprize of individuals would secure a much greater revenue to the state, than what is now produced by the limited commerce of the Company. But (observed Mr. Creevey) another honourable director opposite (Mr. Grant) a gentleman, though not in either of the chairs of the Company, yet deservedly considered as the oracle of that corporation, he will say, according to his established custom on these occasions, "our case is really one of genuine compassion, our calamities proceed from causes over which we the Company have no controul. Indian wars entered into by our governors, not only without our concurrence, but in direct opposition to our positive instructions and commands: these are the true causes of our distresses, and surely you will not be too hard upon us, under such humiliating circumstances."

It is true, said Mr. Creevey, we all know that in the year 1805, a dispatch was projected and prepared by the hon. member Mr. Grant, and signed by 23 directors out of 24; this memorable performance was meant to be forwarded to lord Wellesley, at Calcutta, and it did most ingenuously and in the strongest manner charge him, the noble marquis, with being the author of the Company's disasters; in addition to the allegations it contained of the impolicy, the expence, and the injustice of the wars he had engaged in; it charged him specifically with having violated all the commands of his employers, all the positive laws of the land, and of having in short, according to the words of the dispatch, "reduced the government of India to a pure and simple despotism." Well—this dispatch, according to the provisions of the Act of 1793, had to go to the Board of Controul for its sanction, before it set off on its voyage to India; by the Act of 1793, the Board of Controul are to inspect all political dispatches from the India House to their governors abroad, and they have the power of alteration, addition, and even substitution, over these compositions from the India House. The noble lord opposite (lord Castlereagh,) was President of the Board of Controul at the time referred to, and in the exercise of the discretion vested in him in such capacity, he put the projected dispatch behind the fire, and he substituted in its place a short, pithy, unqualified panegyric upon all lord Wellesley's Indian administration. But this was not all—the poor directors were bound by the Act of 1793, to put their names to the substituted dispatch, and off it went to India as their own act and deed. To be sure there never was a harder case than this upon the directors of the Company, but then the pinching question to put to the director (Mr. Grant) is this, why did not you come to parliament and tell your story at the time? Why did not you come and say to the House of Commons and the country, we are driven by our government abroad, sanctioned by the Board of Controul at home, into difficulties immediately fatal to us, and that ultimately must fling us upon the bounty and compassion of the nation; we implore you for your sakes, as well as for our own, to interfere between us and the Board of Controul, and determine which is in the right.—The directors, if they wish to have any claims upon the justice of the country, ought to have so acted; they had advanced in their own dispatch, that, which if it were true, was sufficient ground of impeachment against lord Wellesley; and if believing these charges to be true, the directors declined preferring them before the public, they not only forfeited all claims upon the public by such conduct;

but they in their turn became just objects of impeachment. The fact however was, they contented themselves with a kind of inefficient bluster, at the India-House, by recording their protests, documents invisible to all but their own corporation, and so the matter ended.

That there was a sufficiently obvious solution of this conduct on the part of the directors, he (Mr. Creevey) was quite ready to admit; a mighty little reflection was sufficient to convince the directors, that the last thing they ought to do, was to quarrel with the Board of Controul, that is to say, with the government; they not only have the renewal of their charter perpetually before their eyes, with all their anxieties for the friendly disposition of the government on this subject, but this very day shewed, as indeed every year of late had shewn, the value to the Company of such an ally as the government:—with what facility it can extort from the public millions after millions for the Company, as long as the two parties act cordially together; besides, (Mr. Creevey observed) as he had on a late occasion remarked, the directors had no real personal interest in the prosperity of the Company's affairs; and therefore, why (they might say) should they embroil themselves with the government; patronage over the great commercial, territorial, judicial, civil and military establishments of the Company, constituted the only interest of an Indian director in the concerns of the Company.—What was the 2,000*l.*, India stock, the only qualification requisite for the hon. director opposite to him, what was this as an object, compared with all their contracts at home, in the outfit of their fleets, with their annual nominations of cadets and writerships to India, with their selection of particular lucrative voyages for their own connections, with their appointment of supra-cargoes at Canton, with their enormous influence arising from their great London establishment, and the means thus afforded them of filling the places they represent in parliament with ticket porters from their London warehouses?

Thus it was, Mr. Creevey said, from the circumstances he had mentioned, from the superior interest the directors had in cultivating the government, rather than the proprietors, they were quite certain at all times, however perilous the circumstance of their affairs might be, to fling themselves upon the government for carrying them through, rather than to deal fairly and ingenuously by the public; and for this reason it was, that he for one on the present occasion would not agree to advance them a single farthing.

Mr. Creevey said, he knew of one reason only for his agreeing to make the present advance, and that was because he knew he could not help it: the union of such powers as the government and the East-India Company, was a combination, that as long as the public took no interest in the subject, had the House of Commons absolutely at its feet; the experience of the last six years afforded ample proof of this; during which period, a sum of eight millions (including the present loan) had been raised from the public and individuals for the Company, as matter almost of course, without an atom of enquiry, and upon mere suggestion only of any servant of the crown.

As additional proof of the injurious effect upon the country of this union between the government and the Company, Mr. Creevey contrasted the present period with former ones, when these allies were separated.—He said, there were three distinct divisions of the Company's history; from the act of King William, which gave them birth to the year 1765, was the first division; during this period the Company were purely merchants, and unconnected altogether with the crown, and however unwise and impolitic the principle of granting an exclusive trade to a joint stock company might have originally been, it was not less true, that during this first part of the Company's history they did contribute very large sums to the state at different times, as the price of their monopoly, and they did in no instance prefer any application to parliament, for relief or assistance of any description whatsoever.—The second division of the Company's history, was from 1765 to 1784: from the first of these years was to be dated the new character of the East India Company as Indian sovereigns: it was in 1765 that lord Clive began the grand work of conquest for the Company in India, and the experience of the two or three first years from that date, sufficiently proved, how little suited these incongruous materials, sovereignty and commerce, were, when united, to produce any benefit to the Company. Gentlemen had only to look to the statute book for the proofs of the instantaneous and uniform fatal effects of the union of these two characters of sovereigns and merchants, in the corporation of the East India Company; not a year passed without one or more laws being made to extricate them from those difficulties which had all at once overpowered them; but still they were unconnected with the government, they were completely under the controul of parliament, and the House of Commons did most seriously, in the year 1780, set about examining by two committees of its own, into the very bottom and origin of these new and complicated distresses of the Company. In this trying crisis of the Company's very existence, different nostrums were applied; the House well knew how deeply the political fortunes of Mr. Fox were affected by the experiment which he suggested to parliament on that occasion, and the House knew likewise how the struggle of the Company ended in 1784, by a compromise or union between the government and the Company, the latter being compelled to permit for ever after, its whole political councils to be dictated by a new created establishment in the state, called the Board of Controul over the affairs of India. It was the period from this junction in 1784, to the present time, that made the third and last division of the Company's history; and during this interval there had been an end of all parliamentary controul over the affairs of the Company whatsoever. During the novelty of the establishment, and indeed for many years after, the minister presiding over it had attempted to impose upon the House and the public, a belief that the corporation of sovereigns and merchants were going on more prosperously under the auspices of their new masters, than they had done formerly by themselves; but now by the ministers of the crown themselves even, a project so wild had for many years been abandoned; and so far from an annual panegyric upon the prosperity of the Company with which the establishment of the Board of Controul began, they now come, year after year, with demands for millions; and by the united strength in this House of the supplicants and their protectors, the government, there was nothing they asked for that they did not instantly obtain.—Mr. Creevey said there was one, and one only remedy for this monstrous national grievance, and that was the loud and general voice of the commercial interests of this country addressing itself to government and to parliament. He was most happy to have witnessed the strong feelings of that body, that he had done this spring upon this subject, and he trusted that upon the discussion of the renewal of the Company's Charter in the next spring, there would be no relaxation of the commercial and manufacturing interests of this country, upon an occasion of such infinite importance; of this he was quite sure, that they were the only body who could effectually interfere, in preventing the East India Company from any longer uniting an exclusive monopoly of commerce with their great Indian empire, and he was not less certain that the united representations of so important a part of the state would be imperative upon the government, in making them abandon any further support of the Company's monopoly.

Mr. Creevey said, he could not permit this occasion to pass by without adverting to the extraordinary reverse in the situation of the East India Company in its present state, as compared with the period of its creation, or indeed without noticing the reverse in the situation of the state during the same periods.—In the reign of king William, we began as a state to borrow for the first time, and the East India Company, a collection of mercantile adventurers only, lent us two millions at their first start, as the price of their monopoly; at the expiration of a century from that time, we, the state, have borrowed so many hundred millions, that we are on the very verge of breaking down. The critics in finance have predicted with confidence, that the loan for the present year is the last this country can ever raise. The East India Company at the expiration of the same century, have from common mercantile adventurers, become lords and sovereigns of a great portion of Asia, sovereigns over 50 millions of subjects, proprietors of sixteen millions sterling of revenue per annum; and yet do they, in this the season of their prosperity and our adversity, come to give us a last and farewell blow, by making us raise this loan of two millions and a half for them, in addition to our own.—Looking back (said Mr. Creevey) at what were the favorite subjects at the beginning of the last century, with the best friends of the constitution, as what were considered as the best securities of the Revolution, a reasonable man at this time of day might well be indulged in pausing, and even in doubting, whether those securities had not been too dearly purchased. He referred to the funding system, and to the formation of the two great establishments, the Bank of England and the East India Company, which took place at that time; the friends of the Revolution at that time said, it is good to borrow money; for those who lend will be attached to the present state of things, i. e. the revolution; so in the like manner it was good to encourage the adventurers in these two great concerns, the Bank and India Company, because the projectors must necessarily be attached to the present order of things, i. e. the Revolution. Now, said Mr. Creevey, "permit me, Mr. Speaker, to state, why with every degree of regard and respect for the great men who brought about and conducted the Revolution, why I feel myself justified in doubting whether I do not pay too dearly for those great securities of the Revolution, viz. the Funding System, and those establishments, the Bank of England and the East India Company.—Suppose me, Sir, a person with a fixed income, an annuitant, or possessed only of money upon mortgage or in the funds, in short, without the means of increasing my income to meet any increase of expenditure. In this condition the first operation of the funding system upon me, is, it is so overloaded, that I am called upon to pay in the first instance 10*l.* in one hundred to the state, to prevent too much money being borrowed within the year. The next enemy I have to encounter is the Bank of England, which being protected by the government in defrauding its creditors, and in no longer issuing any coin, in conformity to its engagements, issues its own paper upon the country, without controul or mercy; the operation of this is, that the Bank divides millions upon millions of profits amongst its own corporation, by this act of perfidy in multiplying its paper, which it never redeems, whilst I, out of my hundred pounds, lose 25*l.* more in addition to my ten, from the depreciation made in paper, by the over issues of the Bank of England: after these operations I am again met by the funding system; wherever I turn myself, it calls upon me for a tax upon every article I consume, to pay the interest of the hundreds of millions that have been funded, and finally comes the great East India Company, the successors of the great Mogul himself, begging that I would not forget them in the midst of my liberality, but that I will be kind enough to add to my other outgoings, a slight contribution to them also; my mite towards raising 2,500,000*l.*, which they assure me they cannot possibly do without.—These facts, Mr. Speaker, constitute my apology for speaking with any diffidence of the blessings of the Revolution, or at least of the value of those establishments, which have been always considered as its best securities; and with these sentiments I conclude—objecting to giving one farthing to this expensive favourite, and security of the Revolution, the East India Company."

The House then divided; For going into a Committee 38, Against it 9; Majority 29.—In the committee,

Lord *A. Hamilton* opposed the clause making the consolidated fund responsible for the loan to the Company. This was the first attempt which any Chancellor of the Exchequer had yet made to lend them the credit of the country.

The *Chancellor of the Exchequer* contended, that the credit of the Company, at the prospect of the expiration of their Charter, would have been exceedingly depressed, if the assistance of the country was refused them. We ought not to decline assisting those who had been our best allies, even though the credit of the country was labouring.

Mr. *Howorth* conceived, that for the Chancellor of the Exchequer to talk of the labouring credit of the country, was calculated to excite considerable alarm.

Mr. *Whitbread* remarked, that the Company certainly resembled our allies in one respect,—that they were very glad to take our money, though with but a poor chance of re-payment. He could recollect, that when Mr. Pitt proposed the Austrian loan, the House were told there was not the least risk; re-payment was so carefully guarded, that the Bill authorised the Attorney and Solicitor-General to prosecute the Emperor in his own courts for the payment of the interest. But the country had been saddled with the whole of it: and he feared the same would be the case in the present instance, notwithstanding all the guards and securities of the Bill. There was something very ominous in the words and the tone of the Chancellor of the Exchequer, as to the credit of the country. He had told the committee, that its finance was labouring; and another experienced financier had predicted, that the present would probably be its last labour in the loan way. Was this, then, a proper moment to grant the Company a bonus, by applying the credit of the country to their relief?

The *Chancellor of the Exchequer* said, in explanation, that by the expression "labouring credit" he only meant to state, that the terms of the last loan had been more unfavourable than in preceding years. He should soon have an opportunity of assigning his reasons for asserting that our credit was not essentially impaired, and of shewing not only to this country, but to Europe, that the resources of the nation were sufficient to enable it to maintain the contest for years, if necessary. Had the Company raised this loan on their own credit, the money market of London would have been equally affected.

The Committee then divided, when there appeared; For the clause 31, Against it 16; Majority 15. The Bill was then gone through, and ordered to be reported.

HOUSE OF LORDS.

Monday, July 6.

Island of Jersey.] The Marquis of *Lansdowne* was not inclined to occupy more than a small portion of their lordships' time, in making a few observations upon the motion of which he had given notice, and which he had intended this day to bring under their consideration. It had occurred to him that a long time had intervened since the appointment of the commissioners to enquire into the Constitution and Government of the Island of Jersey; but he had understood since, that his Majesty's government had not had time to furnish the report on this subject, and if that should be the answer of the noble earl opposite, he would have no objections to postpone the subject for the present.

The Earl of *Harrowby* stated, that government had not yet had time to furnish the information to which the noble marquis alluded. He also suggested, that the power of alteration with respect to the government of the Island of Jersey, rested in the prerogative; but whatever might occur interesting to the interests of its inhabitants, would be made known to them the first opportunity.

The Marquis of *Lansdowne* assented to the position of the noble earl, that the power on this subject was vested in the prerogative; but at the same time, like every other privilege of the crown, the exercise of it was liable to be called in question, and that House would therefore be competent to give its advice to the crown, if any alteration were intended in the constitution of the Island of Jersey. It was for these reasons he became anxious of knowing, whenever any determination should be adopted, that such a change was necessary. But for the cause assigned by the noble earl, he was disposed to wave his motion for the present, and would move, that the order of the day be withdrawn.—Ordered.

Mr. Palmer's Per-Centage Bill.] Upon the order of the day for the second reading of this Bill,

The Earl of *Moira* very earnestly pressed the House to take into consideration the claims of Mr. Palmer to a remuneration for his invention and services, as far as they affected the Post-office and the revenue of the country. Though the noble earl (of Lauderdale) and the noble and learned lord on the woolsack had expressed their hostility to the measure, yet he trusted the House would seriously weigh the importance of this Bill, as it affected the interests of the community, and as it concerned most intimately the welfare of an individual. It appeared to him that the right of Mr. Palmer to compensation was undoubted, as well when he looked to the vast advantages which were gained by the public, as when he reflected upon the increase of revenue which the government had derived from his invention. Though the engagement entered into by Mr. Palmer with Mr. Pitt had not been regularly executed, yet there certainly was found a document, of which no doubt could be entertained, that it was the agreement intended; and, besides this, Mr. Pitt himself had stated the conditions of the allowance to be made, and that he considered 2½ per cent. no more than adequate to the services which Mr. Palmer had rendered to the country and to government. Much had been said as to the amount of the sum, but that was neither a reason for or against the vote which he should propose. The noble earl next proceeded to notice the misconduct which had been imputed to Mr. Palmer while he had been employed in the Post-office; but, he contended, that supposing that misconduct to be such as it had been represented, still it did not impugn the force of his argument; namely, that government were bound in duty to reward the services of those who had contributed to benefit the country in the way in which Mr. Palmer had done. The manner in which the other House had considered this claim, and their having carried this Bill through by an almost unparalleled majority, was a circumstance so favourable, as to call upon their lordships for their considerate examination of its merits. The noble earl concluded by moving, That this Bill be now read the second time.

The Earl of *Suffolk* was desirous of knowing from those who supported the Bill, if they could state any contract regularly acceded to by Mr. Palmer and the government.

The Earl of *Harrowby* could so far answer the enquiry made by the noble earl, as to assure him, that no evidence existed of any contract on this occasion, excepting a paper which contained the conditions of an agreement between Mr. Palmer and Mr. Pitt; but this was not signed or witnessed, and, in other respects, was a document never executed. With respect to the claim of Mr. Palmer, he conceived there was no evidence to prove that what had been alleged was his due; and although he was, with others, unwilling to press observations of an unpleasant nature upon an individual, yet his public duty was paramount to all private feelings upon the subject. He accordingly reprobated the misconduct of Mr. Palmer, while employed to conduct the affairs of the Post-office; and read two letters, in which he had stated to inferior officers, his wish for them to produce confusion and irregularity in their affairs, in order that blame might attach to the heads of the office. The noble earl, after making several comments upon the supposed agreement already alluded to, concluded by expressing his dissent to the motion.

The Marquis of *Lansdowne* supported the Bill, and as he was one who looked jealously towards the disposal of public money, he felt anxious to explain the motives which induced him to sanction the proposed grant. The demand of Mr. Palmer on the country, was in right of an agreement which he stated himself to have entered into, with the late Mr. Pitt; and he conceived the proof of that agreement was before the House, in various documents; but principally in Mr. Pitt's evidence on the subject. Mr. Pitt stated therein, that a proposal was made to him from Mr. Palmer, that he would undertake to reform the Post Office, and improve its revenue; on condition that out of whatever such revenue was increased to, beyond the old amount, he should receive 2½ per cent. annually during his life. Mr. Pitt further stated, that, conceiving this proposal to be fair and reasonable, it was accepted, and that an appointment was in consequence prepared at the treasury, entitling Mr. Palmer to receive his 2½ per cent. for life! That he, Mr. Pitt, approved of such appointment, and that it was to have been given to Mr. Palmer, and that the possession of such an appointment would have secured him from a forfeiture of it, under any other authority than that of a court of law, as in the case of other patents. The noble marquis entreated the House to examine Mr. Pitt's evidence which was before them; and he would ask if every tittle of what he had quoted, was not contained in it? It was in this intended appointment that the full proof of the agreement was to be found; and it was on the faith of it, that Mr. Palmer divulged his plan and sacrificed his property, time, and other pursuits in life, to the perfecting it; he must indeed, have been out of his senses, had he permitted his promised reward, the result of so many years' labour, to have hinged upon the pleasure of the minister, who might in that case, have turned him about his business whenever it suited his convenience. Mr. Pitt further stated, that this intended appointment was withheld from Mr. Palmer, on account of certain legal objections, which required some alteration in the Post Office act before it could be carried into effect; that in consequence of this, a different appointment was given to Mr. Palmer, which made him for the time dependant on the Treasury, and that under this appointment, in consequence of some dispute, he was dismissed, and his bargain cancelled. Now, he would ask, whether such a proceeding as this was not at variance with every principle of justice? If there was any cause of complaint against Mr. Palmer, recourse should have been had to the law, as must have been the case had that appointment been given to him which he was promised by Mr. Pitt; if the government did not choose to make such reference, the utmost they were justified in doing was, to discontinue him as their officer, and withhold the salary attached to his office, so far they had a right to go; but they had no right over his per centage, that was his stipulated reward for the service he had actually performed; it was his property, and became such from the moment the government had availed itself of his plan. In regard to the claims of Mr. Palmer being disputed on the score of their amount, he thought that an argument which could scarcely be maintained, because the interests of Mr. Palmer were so linked with those of the country, that they went hand in hand together, and for every shilling which he demanded, he had first to prove that the country was in the actual possession of forty! and that through his means, therefore to grudge Mr. Palmer the amount of his claim under these circumstances, was to find fault with the extent of his services to the public.

There was one circumstance connected with the case, which those who opposed it appeared to forget; namely, that Mr. Palmer had been actually put into possession of his per centage by Mr. Pitt! and that he had been paid regularly according to the provisions contained in the very Bill before them during three years! Nay, that he would have received the identical arrears, which he was now asking for, and had the use of the money during the many years it had been so unjustly withheld from him, but for the quarrel which took place between the government and himself. He presumed there was no getting rid of that fact, which he challenged any one to disprove; so that the question was not whether it was a good or a bad bargain; but simply whether the alleged misconduct of Mr. Palmer justified the government in cancelling it? The misconduct, such as it was, stood in evidence before them, it was on record there that the accusers of Mr. Palmer themselves vouched for his personal integrity on all occasions, and seemed most anxious to do so! Upon that point all appeared to agree. He admitted that Mr. Palmer had manifested considerable irritation; he did not mean to defend his letters, which were insubordinate to his superiors; but great allowance was to be made for the temper of mind they were obviously written under; and the government in depriving him of his situation and salary, would have visited the offence with sufficient rigour. As to the remainder of his emoluments, they had clearly no right whatever over them. Mr. Palmer had been most unjustly deprived of his property, and parliament was bound to see it restored to him.

The Earl of *Lauderdale* opposed the claim, and said that there was not a shadow of such an agreement as that on which his noble friend rested his argument. He had searched these papers with an anxiety to find a good ground for this claim, especially on account of the respect which he had for a member of Mr. Palmer's family, who had a seat in the other House, but he could see none, and he was, therefore, bound in duty to oppose it. He admitted that Mr. Palmer had done great service to the public, but it was rated much higher than it really was. There could not be a doubt but the Post-office revenue would have improved considerably, though Mr. Palmer's plan had never been put in execution. The House of Commons must have passed this Bill from the idea that there was an agreement to give Mr. Palmer this sum, which there was not. They would never otherwise have been so lavish, when they were so very economical in regard to the inventor of the machine called the Mule, which had proved of such vast advantage to the country and the revenue. The Commons had only given Mr. Crompton 5,000*l.* though he considered Mr. Palmer's plan as nothing in comparison with Mr. Crompton's invention.

The Earl of *Caernarvon* defended the justice of the claim. Mr. Palmer made a bargain with government, that he would improve the Post-office revenue, and receive as his reward, 2½ per cent. annually during his life, out of whatever increase took place in that revenue, which was ascribable to his plan. Mr. Palmer it was confessed, on all hands, had improved the revenue to an immense amount, and he only claimed the fortieth part of it, sixpence out of every twenty-shillings, which it was stipulated to pay him. Nay, in point of fact, he only asked six-pence out of every fifty shillings! because he demanded his per-centage on the price at which the letters were conveyed, before his improvement. Now, such improvement had enabled government to increase the price of the conveyance of letters, and Mr. Palmer in right of his agreement had a fair claim to his share of it. For Mr. Palmer had distinctly stated, that great part of the increased revenue must arise from this, and that he calculated on his improvement being so popular as to justify the increased price, which until that period had never been attempted.—The proof of this is, that since the reform took place, the government have increased the price three several times, and the last rate which was just laid on, was calculated to produce 250,000*l.* annually, a sum in itself, much larger than the whole Post-office revenue amounted to, when Mr. Palmer took it in hand. But Mr. Palmer waved his right upon this, he asked for his per-centage only upon the increased number of letters which were sent, and not upon the increased price at which they were conveyed; and after a sacrifice such as this, could the remainder of his claim be disputed? For his part, he should be glad if more demands such as this, could be established. The man who could by his ingenuity, produce a million and half annually, without bearing in the slightest degree whatever upon the poorer order of the community; and by it, prevent the necessity of a burthensome taxation to that amount, which must take place, if the Post-office revenue was wanting, was well entitled to the support of parliament. As to Mr. Crompton's invention in regard to the spinning muslin, which had been quoted by the noble lord (Lauderdale,) that bore no analogy with the present case, it was the mere invention of a machine, for which he had been amply rewarded. Mr. Palmer's reform in the Post-office involved the labour of years: he had embarked in in it all his private property, and actually sacrificed great part of it in its progress, which was proved; he had relinquished all other prospects in life to engage in this undertaking. If he failed, he was to receive nothing; but if he succeeded, the faith of the country was pledged to him for the fulfilment of the contract, and he trusted the parliament would see that pledge redeemed.

Lord *Walsingham* wished to say a few words, as the question referred to a time when he was one of the Postmasters-general. He could assure their lordships, that Mr. Palmer had every means of forwarding his own plan, and no obstacle was placed in his way. With respect to his invention, he spoke in high terms of it, on account of its promoting dispatch, and producing regularity.

Viscount *Mountjoy* supported the Bill.

Lord *Erskine* observed, there could not be a doubt that the House of Commons, on the most deliberate enquiry, had pronounced the remuneration to be demanded by every principle of honour and equity. Mr. Palmer's claims could not indeed be supported in a court of law, but the honour and justice of the country required their liquidation.

The *Lord Chancellor* held it to be a very delicate matter to support an agreement, the existence of which the executive government denied. It would be a matter of serious consideration, whether, even supposing an agreement to have existed, such an alienation of the revenue of the crown could be made as would affect the successor.

Lord *Redesdale* also opposed the measure.

Lord *Holland* was disposed to think, that the claim had been mistaken, when considered as arising out of any written agreement; whereas it clearly appeared to him a claim upon the honour and justice of the country.

The Earl of *Liverpool* contended, that the revenue had increased from other reasons than that of Mr. Palmer's invention. He perceived no argument which could convince him that the claim was made out upon any ground whatever.

The Earl of *Moira* observed, in reply, that this claim rested not upon any written agreement, but upon an agreement implied, and upon the honour and justice of the country.

The question being called for, the House divided—

Contents	37
Not Contents	23
Majority for the Bill	—14

HOUSE OF COMMONS.

Monday, July 6.

London New Prison Bill.] Sir *W. Curtis* moved, that the Report on the London New Prison Bill be taken into further consideration.

Mr. *Holme Sumner* rose to oppose it. He said the object of the Bill was to erect a large prison for the city of London by taxing the neighbouring counties; whereas by the statutes of Henry 8, Elizabeth, William, and George 2, the magistrates of a county were bound to build a gaol for the county, and defray the expences by rates on the hundreds. He objected to raising money on the credit of the Orphans' Fund, and stated the origin and history of that fund, to shew that it was not a city estate, to be disposed of as the city pleased. The tax on coals would affect the adjacent counties, which were not benefited by the Bill as much as London. There was no reason why the city should meet with this indulgence: if, as it was stated, its prison was used for state and national purposes, let the nation pay; and let the consolidated fund, and not the Orphans' Fund, be applied to the erection of the state prison. There was a provision in the Bill, stating to what purposes the existing prisons would be applied in the event of building a new gaol, but no notice was taken of the Poultry Compter, a large and valuable space of ground, which he understood was to be appropriated to the building of city chambers. Under these circumstances he moved, That the report be considered that day three months.

Sir *W. Curtis* admitted the introductory part of the hon. member's speech, as to the history of the Orphans' Fund, to be true. He observed, that Newgate, though a very fine building, was not able to accommodate the increase of prisoners arising from the increased population of London. Hints were thrown out disparaging the objects of the city's expenditure, but the city had done the greatest benefit to the public. Nor ought the members for Surrey to object, for that county received the highest advantage from the erection of Blackfriars-bridge. The London prison contained, not only its own prisoners, but those of the whole country; and as a confirmation, he would tell them, that the bread for the last quarter amounted to 950*l.* The hon. baronet concluded with an eulogium on the munificence of the city.

Mr. *H. Sumner* in reply stated, that this munificence was not so astonishing, when it was considered, that in the last fifty years the city had not expended above 40,000*l.* in public works.

Sir *C. Price* went over nearly the same ground as sir William Curtis.

Mr. *S. Thornton* thought it to be highly unreasonable, that the inhabitants of Westminster and the adjacent counties to the metropolis should be taxed in their coals for the purpose of enabling the magistrates of London to erect a sumptuous prison. The adjacent counties were infested with many offenders inured to their depredations in the metropolis, but were obliged to maintain adequate places for their confinement out of their own county rates. If, as was asserted, the magistracy of London was obliged to receive the prisoners for offences on the high seas, and state prisoners, this circumstance might be a reason for calling on the country at large for aid to their expences, but it was no reason for taxing only the counties that were adjacent. The Orphans' Fund was raised to secure the property of the description of persons from whom it derived its name. The interest allowed was a low one, and it was an object of emulation among the creditors to get the debt paid off, but the granting the credit for 90,000*l.* now demanded, and every other charge upon it, retarded that desirable object, and, of course, continued the tax longer than would otherwise be necessary. On these grounds he objected to the consideration of the report.

Mr. Alderman *Combe* supported the original motion.

Sir *James Shaw* observed, that the city had expended 107,000*l.* instead of 40,000*l.* for public purposes during the period mentioned by the hon. member, a great part of which sum was applied to the reward of naval and military services, by presents of swords, medals, and freedom in gold boxes; some part (42,000*l.*) in widening the streets, and the rest in raising different public works. The hon. member complained, that the consolidated fund was not resorted to, but the Chancellor of the Exchequer would tell him, that it was not competent to furnish the sum, and no hardship, no increase of tax, would arise from taking the money out of the Orphans' Fund. The county of Surrey complained of a small tax, but what would it have said if it had been called upon to pay half the expences of Blackfriars and Westminster Bridges, from which it derived so much benefit?

The House then divided—Ayes 46; Noes 18; Majority for bringing up the Report 28.

LINCOLN GAOL.] Mr. *Giddy* brought up the Report of the Committee on Lincoln Gaol, stating as before, the necessity of examining the prisoners, and observing, that though no doubt was entertained of the power of the House to summon them before the committee, yet it was not deemed prudent to enforce it, as many of the prisoners were confined for crimes, and many for large debts; also that the assizes were approaching, when it would be requisite for the gaoler and the prisoners to be on the spot. The Report concluded with mentioning the advanced state of the session, and hoping that the committee might be discharged. Mr. Giddy, in moving that the Report do lie on the table, said, he should soon move for a commission to be sent down to enquire into the state of the gaol.

Mr. *Abercromby* expressed his satisfaction, that the Report had been recommitted, and that the committee had returned a second Report, more congenial with the feelings of the House than that which they had first submitted.

Mr. *H. Sumner* thought it his duty to state, that the evidence, as far as it went, completely exculpated Dr. Illingworth, against whom a charge of connivance with the gaoler in money transactions had been brought; the evidence, indeed, was *ex-parte*, being that of the gaoler, but it was given in so frank a manner as to satisfy the committee of its truth.

Sir *S. Romilly* said, he had never before heard of this charge against Dr. Illingworth; he, for himself, could most positively assert, that he had alleged nothing against that magistrate except what appeared on the petition. Supposing, however, such a charge to have been made, he thought it was too much to assume the *ex-parte* testimony of the gaoler as a complete refutation of it.

Mr. *Ellison* observed, that the charge was implied when the hon. and learned member talked of corrupt connivance with the gaoler.

Sir *S. Romilly* said, that he never mentioned the word "corrupt:" he did talk of connivance, and grounded that assertion on the resolutions of the magistrates, which gave directions about the prison beds; and on the reply of a magistrate to Mr. Finnerty. As to the suggestions which had been made respecting Dr. Illingworth, the only witness who had been examined on that subject, was Mr. Meryweather the gaoler, who expressly had sworn that he had never had any money transactions with Dr. Illingworth, nor with any other of the magistrates; so that Dr. Illingworth was so far cleared of the imputation made against him. With respect to the second report he looked on it to be, in substance, exactly the same as the former.

Mr. *Brougham* bore his testimony to the effect of the evidence already adduced before the committee, being to exculpate the magistrates of the county of Lincoln from the charges made against them. He also, in allusion to what he had mentioned on a former night, said, that the committee were fully justified in the doubts they had entertained of the power of the House, as he could prove by the statutes on the table, of the 9th and 10th of William and Mary, chap. 37, which stated that there was only one exception to an action for escape, and that was in case of a Habeas Corpus, or rule of court.

Mr. *Giddy* then moved, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to direct that a commission may be issued to enquire into what has been, and now is, the condition and treatment of prisoners confined in Lincoln Castle, and the conduct and management of the said prison." Which was agreed to.

MODE OF ELECTING JURATS IN THE ISLAND OF JERSEY.] Mr. *Abercromby* rose, to make the motion of which he had given notice, relative to the Jurats of the island of Jersey. He stated, that the people of Jersey had, from the reign of king John, proved themselves at all times to have been truly loyal, and zealously attached to this crown and realm. That so long ago as the reign of that sovereign, they had lived under a constitution, then granted to them, under which they had been happy and contented. That by this constitution, the governor was appointed by the King, —the second body in the state consisted of 12 jurats, elected for life, by a majority of the masters of families, and those who paid direct taxes;—the next body consisted of twelve clergymen, for the twelve parishes in the island, nominated by the crown; and then 12 constables, chosen in the same way as the jurats. This was the charter granted by king John, which had in 1671 been confirmed by king Charles 2, and subsequently by his present Majesty, in 1771: That some months ago a Commission had been issued by the privy council to enquire into the state of the jurats, and commissioners had in consequence been sent to Jersey, which very much alarmed the people of that island, under the idea that their constitution was going to be subverted or changed; and they wished, of course, to know the grounds on which this was to be done. Not conscious of having been guilty of any act of irregularity, or any other proceeding which could give cause for an alteration of the constitution under which they had so long, so happily, and so loyally lived, they were naturally anxious and desirous to obtain information on the subject. On the last occasion on which they had exercised their jurisdiction, all they had done had been confirmed by the King in council; and they were, therefore, suspicious that their conduct had been misrepresented, and that his Majesty had been misadvised. An application to parliament had therefore been made, on which a copy of the Commission had been laid before the House; but no explanation given, by which the reason for issuing it could even be guessed at. The object of this motion, therefore, was, to require a copy of the report of the commissioners. It might, perhaps, be said, this was a matter which rested with the privy council, and that parliament had no right to interfere; but he could not suppose that parliament had not as much right to interpose with respect to Jersey, as to any other part of the different appendages to the crown and realm. In moving for this report, he did not mean to throw, even by imputation, any thing like blame on his Majesty's ministers, but to quiet the alarms of the people of Jersey. The hon. and learned gentleman concluded by moving for "A Copy of the Report of the Commissioners appointed to enquire into the mode of Electing Jurats in the island of Jersey."

Mr. *Ryder* objected to the motion. He said representations had reached government, stating that it was necessary to alter the constitution of that settlement; a commission had therefore issued; the report moved for was not complete, but still *sub judice;* and it would be acting contrary to all precedent, to call for documents till such time as the matter was finally decided on by government.

Sir *S. Romilly* said, that in the prosperity of an island, so contiguous not only to us, but to France, and in which this country was so essentially interested, the House ought not to wait till a new constitution was formed by the crown. The people of that island had a right to know on what grounds they were attempted to be disfranchised of their rights which they had uninterruptedly enjoyed from the reign of king John, and which in 1671 had been confirmed to them by king Charles 2, and by his present Majesty in 1771. He denied that acceding to this motion would be interfering with the royal prerogative; but without questioning the right of the crown, he thought that some information ought certainly to be given, in order to quiet the minds of the people.

Mr. *Ryder,* in explanation, contended, that as the matter was still pending, and undecided before the privy council, the House ought not to interfere.

Lord *Castlereagh* opposed the motion, on the same grounds as those urged by Mr. Ryder.

Mr. *Whitbread* said, the mode in which the question originally came before the House, was an article in the Supply, of a charge of 3,500*l.* for the expences of certain commissioners, who had been sent to the island of Jersey, and had staid there about a fortnight, for the purpose of enquiring into the state of the jurats of that island. The inhabitants of the island had been greatly alarmed at the commission, and the enquiry which took place in consequence of it. It was therefore not to be wondered at that they should be extremely anxious to obtain information as to what was meant by this commission; and he thought the House of Commons could not be deemed too scrutinising in taking notice of the expenditure of 3,500*l.* in the course of a fortnight, for the purpose of carrying into effect this commission which had created so much alarm in the minds of the people of Jersey.

Mr. *Abercromby* replied shortly, and concluded by saying, that as there seemed no likelihood of obtaining the smallest degree of information at present, the matter would be brought forward by petition early in the next session.

The motion was then negatived without a division.

HOUSE OF LORDS.

Tuesday, July 7.

Leather Tax.] On the question for going into a committee on this Bill,

The Duke of *Bedford* made a few general observations against the measure, as likely to operate in a most injurious and oppressive manner on the poorer order of the people: it would also operate powerfully on the small farmers, and eventually tend to throw numbers out of employment. If persisted in, he should feel it proper to record his protest against such an additional tax.

Earl *Spencer* fully coincided in the sentiments of the noble duke, and suggested the propriety of instructing the committee to divide the Bill, or to have the obnoxious part separated from the other matter, so as to form a distinct Bill, and to discuss it accordingly.

The Earl of *Liverpool* observed that such a proceeding, with regard to a Bill of the kind, would be irregular and anomalous in that House; but suggested that it would equally answer by his moving to leave out the word "hides," and the relevant matter in that part of the Bill, and also the corresponding part of the schedules.

This proposition, after some further conversation, was assented to by earl Spencer, and the House resolved into a committee on the Bill.

Earl *Spencer* then entered into a variety of detailed objections against the measure, proceeding on those grounds on which it had formerly been argued. He observed that a tax of the kind had been suggested to that great statesman, Mr. Pitt, but who, after maturely considering all its bearings, thought proper to decline it. He laid much stress on its injurious operation with respect to the poorer classes of the community, and the numbers who must be thrown out of employ by it. He thought other financial regulations might easily be devised, comparatively unobjectionable, and eventually much more productive. The noble earl concluded by moving, as an amendment, to leave out those parts of the Bill, as pointed out by the noble lord at the head of the treasury.

The Duke of *Norfolk* decidedly supported the objections of his noble friend. He thought it much better for ministers to relinquish it in the first instance, and substitute some other tax, ere the remonstrances and complaints of the manufacturers would induce them to do it in a future session.

The Earl of *Liverpool* defended the measure, as increasing the tax upon an article, and a trade, which experience proved to have been an increasing source of revenue, and a prosperous and growing trade. Such therefore was, upon general principles, a fair and advantageous object of taxation. All productive taxes must somewhere be felt, and such would naturally be complained of; but the tax in question was far from bearing exclusively upon the lower orders of their fellow subjects; it bore proportionably upon the wealthy, inasmuch as it reached carriages, many sorts of furniture, and other articles of luxury, which were previously subject to taxation as articles of luxury. The tax in other shapes, affected all classes of the community. Great stress was laid as to its bearing with respect to the article of shoes; but in this view it should be considered that it was not so much the quantity of leather in those articles that was taxed, as the general mass of the commodity of which that article was manufactured. Upon the whole, he considered the commodity in question as a fair and advantageous object of taxation; one likely to be highly productive, and not liable to any solid objections.

The Earl of *Rosslyn* contended, that the tax would fall peculiarly heavy on the lower classes, and would be as oppressive and unequal as it must be unproductive. He was sorry to object to any tax brought forward at present, but this was one of the worst that could be devised.

The Earl of *Rosse* supported the measure, and contended that it gave no unfair advantage to Ireland, since, in fact, all the finer leather, manufactured in Ireland, was imported from England.

The Earl of *Lauderdale* had never known a tax so improvident in principle as the one under consideration. It seemed to be the only legacy of the last, to the present Chancellor of the Exchequer, which the latter chose to take. All the other measures of the late minister had been, one by one, sacrificed and abandoned. (Hear.) He should be glad to know what measure of importance they had not abandoned? (Hear.) The tax on leather had been often proposed, but always given up. Respecting the manufactures of Ireland continuing much behind those of England, he had heard of no reason, except the necessity of their getting oak-bark from this country. Now, Scotland manufactured much leather, and could compete with the manufactures of England, yet she procured almost all her bark from England. The Scottish trade was a young one, but it was fast growing. The present measure gave a bounty to the Irish manufacturers of shoes, at the expence of the English ones. The noble earl then condemned the practice of bringing on such matters in a hurry at the end of a session, when there was no time to discuss them fully, and receive the evidence of persons most concerned at the bar of the House. The proposed tax, he contended, must affect the exportation of leather, which amounted to one-fourth of the whole manufacture in this country, and there would be no want of skilful emigrants from hence to Ireland. He seriously implored their lordships to consider the matter fully, and not send back the manufacturers to their starving and half employed journeymen, to carry on their trade at a loss till the next session should give them relief. After abandoning their Orders in Council, on which they stated the salvation of the country to depend, ministers would have, next year, to lament their perseverance in this tax.

The Earl of *Limerick* said, that the arguments of noble lords were such as would make a person suppose there had been no Union, and that Ireland was a hostile country. The fact was, that the manufacture and exportation of leather had decreased in Ireland, and as the bark must all come from England, it could not be presumed that the Irish manufacturer could injure the manufacturer here. It had been too long the system to check and pull down the trade of Ireland, even up to the era of the present auspicious reign. If there was any little advantage given to Ireland he should have expected to find it meet with the applause and not the disapprobation of the noble lords.

The Earl of *Rosslyn* explained. No man more lamented than he did, the false policy towards Ireland, or hailed more sincerely the opening of her freedom. His object was the putting the trade of both countries on a fair and equal footing.

The Earl of *Lauderdale* explained to nearly the same effect. He would have used the same arguments in the case of Yorkshire, as he had done in that of Ireland. He was an advocate for the fair and equal communication of advantages.

The House then divided on earl Spencer's amendment—Not-contents 32; Contents 12; Majority 20. The Report was brought up and agreed to.

List of the Minority.

DUKE.
Bedford
EARLS.
Stanhope
Spencer
Hardwicke
Rosslyn
Lauderdale
Jersey
LORDS.
Holland
Byron
Foley
Dundas
Erskine

HOUSE OF COMMONS.

Tuesday, July 7.

AUCTION DUTY BILL.] The *Chancellor of the Exchequer* moved the discharge of the order of the day for the second reading of this Bill: in doing which he observed, that on consideration he was of opinion, that some alterations might be made in this Bill, which would render it less objectionable to the parties concerned, and more productive to the revenue. He begged, therefore, for the present to move, That the second reading be postponed to that day fortnight.

Mr. *Sheridan* congratulated the House on the happy consequences which had resulted from the consideration which the right hon. gentleman had given to the Bill in question. He begged leave to observe, however, that he understood from some of the gentlemen who had waited upon the right hon. gentleman upon the subject, and from whom he had received such information as led him to see the injustice and the impolicy of the Bill altogether, that a pledge had been given to them that it should be put off to another session. If that was the case, he trusted the right hon. gentleman would have no objection to make a motion to that effect. He could not help taking this opportunity of adverting to the happy consequences which had resulted from the enquiries which the right hon. the Chancellor of the Exchequer had been induced to make. Had he suffered himself to take similar pains before he introduced the duty on leather, which had been only carried by a majority of eight members in that House, the result with respect to that tax might have been equally satisfactory.

The *Chancellor of the Exchequer* said, he had felt desirous to have the Bill pass through a committee during the present session; but as it seemed to be the general wish that it should be postponed, he had no objection to move the second reading for that day two months.

Mr. *Brougham* was glad that the tax had been abandoned for the present, convinced, as he was, that a more impolitic one could not have been named. By this tax persons who might be in distressed circumstances, and who might wish to dispose of their property, if it were put up to auction, would be necessitated to dispose of it, however low a price might be bid for it, otherwise they would be compelled to pay a very heavy duty. The objections to the Bill were very numerous, but as it was to be postponed, he would not occupy the time of the House in urging them. He, however, could not but express his regret, at the manner in which the Leather Tax Bill had been hurried through the House.

The second reading of the Bill was then postponed to this day two months.

PARDON OF WALTER HALL.] Mr. *Tighe* said, that he had given notice of his intention of submitting to the House that day, a motion upon the subject of the pardon granted by the Irish government to Walter Hall, who was convicted of murder. As the papers for which he had moved, however, upon the subject, had only been printed two days, he was fearful the House would not be very competent to judge of their contents. Before he proceeded to state any thing with regard to the case, he was desirous of putting a question to the members of the Irish executive government. It appeared that this man was, on the 17th of February, sentenced to be hung on the 19th of that month, and that he was not reprieved until the 25th of February: he wished to know whether judgment had been stayed, from the 19th to the 25th, by the mere act of the sheriff, or by any other authority?

Mr. *W. Pole* said, he had no objection to answer the question, although he could not help expressing his surprize at the peremptory tone in which it had been put. Had the hon. gentleman when he moved for the papers to which he had alluded, thought proper to move for a copy of the Respite as well as for the Pardon and Reprieve, his question would have been unnecessary, as he would then have learnt, that the respite had been granted by the lord lieutenant, by the recommendation of the judges who had tried the man, with a view to afford time to investigate the grounds upon which he had been stated to be an object of royal mercy.

Mr. *Tighe* did not intend to have put his question in a peremptory manner, but in as clear a one as words would allow. As he was no lawyer, however, and did not understand the distinction between a respite and a reprieve, he conceived his question founded in reason. When he moved for copies of the Reprieve and Pardon, he certainly meant, that all the papers in any way connected with Hall's case, should be laid before the House. He now begged to ask, whether the respite was given in writing or not?

Mr. *W. Pole* said, he ought to apologize for again entering into an explanation which he thought he had already made intelligible. He had clearly stated, that the respite had been granted with the view of allowing time to consider whether there were grounds for granting a reprieve. If the hon. gentleman had taken the trouble to read the newspapers, he would have learnt that one of the judges who had tried the unfortunate man alluded to, had, from circumstances which came out upon the trial, thought proper to write to the secretary of the lord lieutenant for a respite, which was granted. That this respite was in writing, he had no doubt; but it would be utterly impossible for him to enter into a description of all the technical modes which were adopted on the occasion, the more especially as he was wholly ignorant of the nature of the transaction until it was mentioned by the hon. gentleman, having been, at the time of its occurrence, attending his parliamentary duties. The first notice he had of the case at all was by an anonymous letter, threatening him with assassination for having suffered the unfortunate man to be pardoned, and at that moment he had two letters in his possession, which contained similar threats. He begged further to state, that the man had not, as was currently reported, received a free pardon, but had had his sentence commuted for transportation for life, and was then on his way to Botany Bay.

Mr. *Tighe* begged again to say, that he did not think the order of the House had been complied with. He had moved for all papers relative to the case of Walter Hall, and one had been withheld, namely, the copy of the respite;—for this he should now move. The hon. gentleman then moved—"That an humble Address be presented to the Prince Regent, praying, that he would be graciously pleased to give directions that a copy of the Respite granted to Walter Hall be laid before this House."

Mr. *W. Pole* said he did not rise to oppose this motion, but to express his conviction that the order of the House had been strictly complied with. The precept of the House had not mentioned the respite, and under that circumstance, if the public officers to whom it had been directed had furnished it, he thought they would have been guilty of a dereliction from their duty. He apprehended, however, by the course which the hon. gentleman was pursuing, that he wished to shrink from the enquiry which he had expressed a desire to make. This was a course of conduct which he hoped the House would not agree to. He trusted they would no longer suffer the question to be hung up as a source of calumny against the lord lieutenant, and the government of Ireland. Misrepresentations of the most flagitious nature had already gone abroad—the public prints had teemed with abuse, and attempts had been made, not alone to insinuate that a free pardon had been given, but that it had been granted, on the ground of the offender being an Orange-man. What were the facts? The judges who tried the unfortunate man were so struck with certain circumstances which transpired on the trial, that though no plea of insanity was made, they were satisfied that at the time of the commission of the offence charged, the man must have laboured under a temporary derangement: and with this impression, after he was convicted, and after sentence was passed, they wrote to the secretary of the lord lieutenant, recommending him as a fit object to be respited. The right hon. gentleman then read the letters of Mr. Justice Osborne and Mr. M'Clelland; the former of which stated, that the unfortunate man in question was so much affected, whenever he drank spirituous liquors, from a wound which he had formerly received in the head, that he was actually in a state of insanity which evinced itself in a sort of extravagant loyalty, that left him no command over his actions whatever, and inferring that he was therefore not a fit subject for the punishment which awaited him. The letter of Mr. M'Clelland corroborated the statement of Mr. Justice Osborne, and recommended the man as a fit object for mercy; suggesting the expediency of commuting his punishment for transportation for life, or sending him as a soldier on foreign service. In consequence of these letters, corroborated by affidavits, and strengthened by the testimony of most respectable individuals, and, amongst others, Mr. G. Ogle, to the character of the unfortunate man, his sentence was commuted, and he was then actually on his passage to New South Wales. The right hon. gentleman then entered into a justification of the Irish government, and contended that they had done more than they were bound to do, consistently with the common principles of humanity.

Mr. *Whitbread* said, that he had also received a letter, threatening him with assassination if he presumed to oppose the measures of the existing government. Happily, however, it was accompanied by a salvo, which relieved him from any anxiety, as the individual who wrote it said he had a family, on whose account he was prevented from carrying his threats into execution. He hoped the letters of the right hon. gentleman were equally harmless. With respect to the question before the House, he thought there was great impropriety of conduct on the part of the Irish government. All that had been said in extenuation of Walter Hall, was neither more nor less than that at the time he committed the murder, he was in a state of intoxication, and had not the government of himself. Upon the trial, there was neither proof nor plea of insanity, and the only ground upon which the judges had judged him to be a lunatic, and had recommended him as a fit object for pardon, was the disordered state of his mind when affected by liquor. However well founded this intercession in his favour might be, he could by no means admit that the judges were justified in recommending him to be sent into the foreign service, where it was known he could not be kept from spirituous liquors, and might, consequently, in some of his extravagant loyal fits, take it into his head to shoot some of his comrades. He should not mention two recent instances which had occurred, but it was a well-known fact that such a defence as that now adduced in favour of Hall, had been constantly rejected.

Lord *Castlereagh* regretted that any obstructions should be thrown in the way of the investigation of the circumstances attending the case of the individual who had been alluded to, as they would only tend to retard that explanation which he was convinced would fully justify the government of Ireland from the aspersions which had been circulated against it. His lordship could not see by what right the conduct of the judges of Ireland had been questioned for a practice which had been invariably followed in this country.

Sir *F. Burdett* conceived, that the jurymen were the best judges whether Walter Hall was insane or not, and was of opinion that both the judges and the government of Ireland had acted in a manner which the circumstances of the case had not justified.

Mr. *W. Fitzgerald* defended the conduct of the Irish government, and condemned, in strong terms, the attempts which had been made to misrepresent the feelings by which they had been actuated in commuting the sentence of Hall.

Mr. *Martin*, of Galway, thought proper to notice the difference between a respite and an absolute pardon. He owned that the report of the judges appeared to him absurd; but, notwithstanding, after that report and recommendation, the lord lieutenant of Ireland was bound to act in the manner he had done.

Mr. *Brougham* noticed the very delicate situation in which the viceroy of Ireland was placed in consequence of those letters of recommendation for mercy from the judges, which were always attended to. Some gentlemen had thought proper, on this occasion to arraign the conduct of the judges; they might have been led into error, but he was sure they had the best grounds for the recommendation to mercy they transmitted to the lord lieutenant, and to which he was bound to pay due attention, so that no blame could attach in this circumstance to the executive government of Ireland.

Mr. *Tighe* denied any intention of inculpating the lord-lieutenant, who was in some measure bound to comply with the recommendation of the judges. The hon. gentleman then went minutely into the details of the trial, in which it had appeared that Hall had declared, "that he would put any Papist, man or woman, to death, and that afterwards he would kill many more." What could have induced him to make that declaration, but the certainty of impunity before-hand? In a similar case, as the present, tried before justice Osborne, such was the height of political animosity, that the jury would not find the prisoner guilty. This state of things called aloud for an enquiry, and he wished it might originate with some Irish member better able than himself to go through the task. In that hope he would not press any proceeding in the case in the present session. He could not help, however, noticing the inconsistency of the judges who had recommended Hall to mercy on the plea of insanity, and had, at the same time, represented him as fit to be received into his Majesty's service. The hon. gentleman concluded by moving, "That an humble Address be presented to the Prince Regent, praying, that his Royal Highness might be pleased to direct to be laid before the House, a copy of the judges' notes on Walter Hall's trial; and also copies of their recommendations for respite, reprieve, or pardon."

Mr. *W. Pole* observed, that from what had fallen from the hon. gentleman, the judges would have every opportunity to clear themselves from any imputation; at the same time he was glad to find, that he had totally exculpated the Irish executive government. The right hon. gentleman maintained, that the character of the Irish judges was as respectable as any in the land; and he was sorry that the hon. gentleman had postponed his motion for an enquiry this session, which was not perhaps likely to end so soon as many expected. He maintained that purity was a characteristic of the administration of justice in Ireland, and of the duke of Richmond's government.

The motion was then agreed to.

RESOLUTIONS RESPECTING THE STATE OF THE EAST INDIA COMPANY'S AFFAIRS.] On the motion for the third reading of this Bill, some conversation took place as to the most proper time to introduce Mr. Creevey's announced Resolutions on the state of the East India Company's affairs. It was at last agreed, that the Resolutions should be put previous to the third reading of the Bill, which should keep its place in the orders of the day.

Mr. *Creevey* did not wish to expatiate at length on the affairs of the East India Company; his sole view was to have a series of Resolutions, shewing the gradual decrease of that Company's affairs, entered on the Journals previous to the motion for the renewal of the charter in the course of next session. The hon. gentleman then moved the following Resolutions:

1. "That it appears to this House that at the period of the passing the Act 33 Geo. 3, c. 52, the revenues of the British possessions in India were estimated by the court of directors to amount to 6,900,000*l.* and upwards; and that, after the payment of all charges civil, military, and commercial, and after deduction of the interest on debts due in India, there was estimated to be a future net annual surplus revenue of 1,059,127*l.*

2. "That it appears to this House, that by the 107th section of the act 33 Geo. 3, c. 52, it is enacted, that, out of the annual net surplus revenue of the British possessions in India, a sum of not less than 1,000,000*l.* sterling shall be annually applied in the provision of the Company's investment of goods in India, and in remittances to China for the provision of investment of goods there.

3. "That it appears to this House, that by the 11th section of the act 33 Geo. 3, c. 52, it is enacted, that during the continuance of the Company's exclusive trade, the net proceeds of their goods, and sales at home, and all other profits of the said Company in Great Britain, after providing for the payment of bills of exchange already accepted by the directors, and for the current payments of other debts, interest, and other out going charges and expences of the said Company (their bond debt always excepted) shall be applied, first, in payment of a dividend, after the rate of 10*l.* per centum per annum; secondly, in payment of 500,000*l.* per annum, to be applied in discharge of bills drawn in India for the transfer or remittance of the debts of the Company in India (then amounting

to 7,000,000*l.*) for the diminution of such debts till the same were reduced to 2,000,000*l.*; thirdly, in payment of a sum not exceeding 500,000*l.* every year into the receipt for his Majesty's exchequer, to be applied as parliament should direct, with further appropriation of one-sixth part of the remaining surplus to be paid in increase of the Company's dividend, the residue to be set apart till it amounted to the sum of 12,000,000*l.* to constitute a guaranteed fund for the Company's capital stock.

4. " That it appears to this House, that, from the passing of the act 33 Geo. 3, c. 52, to the present time, the revenues of the British possessions in India have, by conquests and cession from the different powers in India, been increased from 7,000,000*l.* to 16,000,000*l.*; but that the charges of all kinds during the same period have so far exceeded the revenues, that the debt in India, instead of being reduced from 7,000,000*l.* to 2,000,000*l.* has been increased to 28,000,000*l.*

5. " That it appears to this House, that, in an exposition of the affairs of the East India Company, prepared by the directors, and laid before this House, in the year 1810, it is stated, " that of the many baneful effects confessedly produced by the vast increase of the Indian debt upon all the interests of the Company, one has borne and must continue to bear directly and powerfully on the home finances, namely, the reduction, and at length the extinction, of the surplus of revenue, from which a million sterling was to be annually appropriated for purposes of investment.

6. " That it appears to this House, that, the East India Company did, in the year 1793, the year of passing of the act 33 Geo. 3, c. 52, obtain from parliament the power of raising 2,000,000*l.* sterling, by subscription to their capital stock, and the same was raised accordingly; that, in the year 1807, they obtained from parliament the power of borrowing 2,000,000*l.* upon their own bonds; that in the year 1810, they obtained from the state a loan of 1,500,000*l.*; that, in the year 1811, they obtained a power from parliament of borrowing 2,000,000*l.* upon their own bonds; and that it appears a Bill is now in this House for the purpose of granting, by way of loan from the State to the Company, 2,500,000*l.* making altogether the sum of 10,000,000*l.* raised or borrowed by the Company at home from the year 1793, inclusive.

7. " That it appears to this House, that notwithstanding the reduction and extinction of all surplus revenue from the British revenues in India, as admitted by the directors, notwithstanding the great increase of the Indian debt, and the great sums raised at home, as stated in the two preceding Resolutions, the court of directors have annually, from the passing of the act of 1793 to the present time, declared a dividend of 10*l.* per cent. to the proprietors under the 111th clause of the act 33 Geo. 3, c. 52, as out of the net proceeds or profits of the Company's concerns, whilst they have, in one instance only, made good the payment of 12,000,000*l.* as provided for in the same 111th section.

8. " That it appears to this House, that, of the sum of 7,780,000*l.* which is the sum total of monies subscribed as capital stock from the act of the 7th and 8th of king William to the present time, the whole has been expended, with the exception of 1,207,566*l.* a sum now owing from the government to the Company; and that this sum has been mortgaged to the Bank of England for 700,000*l.* as a loan to the Company.

9. " That it appears to this House, that, on the 1st of March 1793, upon a comparison of the assets of the Company at home, afloat, and abroad, as compared with the debts of the Company at home and abroad, there was a balance in favour of the Company of 800,000*l.*; that on the 1st of March 1794, in the like comparison, there was a balance in favour of the Company of 4,000,000*l.*: and that, by the last account laid this year before the House, there appears now to be a balance of 7,504,065*l.* against the Company, exclusive of their capital stock."

Mr. *Wallace* alluded to the change of circumstances under which the East India Company had laboured, and of which the above Resolutions took no notice whatever. The state of the East India Company's affairs at those periods was, besides, already on the Journals of the House, and this would answer every purpose of debate. Since 1793 the Company had been almost constantly in a state of warfare, mostly, or entirely, through their connection with the political interests of the empire, and their debt had accordingly increased from six to twenty-four millions; but there was also an increase of revenue of eight millions. The right hon. gentleman then enumerated the different wars, in

India, that of Holkar, and that occasioned by the Mahrattas confederacy, which was not yet completely broken. Those were objects to be taken into consideration by any man professing to have any interest in the British Indian empire, but the hon. gentleman's Resolutions went only to establish invidious comparisons between periods entirely dissimilar. The right hon. gentleman concluded by moving the previous question.

Mr. *R. Thornton* adverted to the impropriety of bringing forward these Resolutions at that late stage of the Bill, and especially when, from the want of documents from India, the accounts of the East India Company could not be understood.

After a few words from lord A. Hamilton and Mr. Grant, and a short reply from Mr. Creevey, the previous question was carried against every one of the Resolutions, without dividing the House. The question was then put on the third reading of the East India Loan Bill and carried.

IRISH POTATOE TITHES' BILL.] On the motion for the second reading of this Bill,

Sir *W. Scott* rose to oppose it. It appeared to him to be one of the grossest attacks on the rights of the clergy of the Established Church which had ever engaged the attention of the legislature. The property of tithes, he would maintain, was, and ought to be, as firmly protected as any other property in the land; and he conceived potatoes were as fair an object of tithe as any other agricultural product. It therefore lay with those who brought forward the Bill, to shew the necessity of such a special exemption as that which was contemplated, and which the law of the land did not at present recognize. The reasons alleged in the preamble of the Bill were the most frivolous that could be imagined. It was stated, that the profit derived from those pieces of land which were to be exempted was very inconsiderable, and that the collection of the tithe was extremely inconvenient. It was true, the individual profit was small, but in the mass it was very considerable. Inconvenience also might exist in collecting it; but these were not sufficient reasons for extinguishing the right altogether. Whatever evil existed, the remedy proposed was not that which sense or judgment could approve. It was complained, that the mode of collecting this tithe was vexatious, and the proposition for alleviating the evil was to extinguish the right entirely. But those who supported the Bill, had not thought of exonerating those who were to benefit by it from the payment of rent, which, if humanity was to be the sole rule of their conduct, would be infinitely more beneficial, than to deprive the laborious clergy of Ireland of that to which they were entitled. For his own part, he did not believe that the evil represented did exist—and if it even did, this was not the remedy which ought to be applied. It was most unjust to rob one set of persons for the benefit of another; and to say that the clergyman, or the lay-impropriator, which ever it might be, who had as much right to tithe as any individual had to other property, should be deprived of that right, was most indefensible. He therefore moved, "That the second reading be postponed till that day three months.

Mr. *Barham* could very easily suppose circumstances, in which the poverty of a party ought to be considered as a plea against the collection of tithes. He had always heard it stated, that the Church was the protector, not the oppressor of the poor; but here it appeared that the Church was to be supported not merely by the poor, but by the very poorest. He thought there should be some boundary, at which poverty ought to be exempted from tithe. The matter probably could not be sufficiently examined in the present year so as effectually to correct the evil; but if the lateness of the session was a bar to a final proceeding, he trusted they would not destroy the hope that some relief would be granted to those persons who were suffering under the present system. When the learned gentleman spoke of the laborious clergy of Ireland, the statement was so different from any thing he had ever heard on the subject, that he felt astonished. He had always understood the Church of Ireland to be the richest in Europe, and, at the same time, the most idle. Perhaps an incumbent, with 3,000*l.* per annum, who prevented a poor peasant from sowing half an acre of potatoes, would not have a single Protestant to attend his church.

Mr. *Hawkins Browne* defended the right of the clergy to the collection of tithes, admitting however, that they had certain duties to perform. The great evil, believed, did not arise from the tithes, but from the high rent at which cottages were let, owing to the numerous population; and, if the tithes were abolished, no relief would follow, for the landlord would raise the rent in proportion. The only remedy, he conceived, was to be found in the humanity of the landlord. The hon. gentleman then paid a compliment to the Protestant clergy of Ireland, observing, that it was not a very happy mode to induce them, if relax, to perform their duty, by depriving them of their property; and concluded by expressing his hostility to the Bill.

Lord *Desart* opposed the Bill, the principle of which went to the destruction of property sanctioned by law. He was himself extremely anxious that a proper measure should be introduced for the fair commutation of tithes; as, from the present mode of gathering them, the most calamitous consequences resulted, the good understanding between the clergy and the people being destroyed; but he was convinced, that every friend to such a commutation, ought to oppose this Bill, which, in a country like Ireland, went to strike off tithes from all the small farms. He thought it was most unjust, because a charge had, on a former night, been made against an individual (the rev. Mr. Morgan) that therefore an attack should be made on the whole body of the clergy of Ireland.

Mr. *French* argued in support of the Bill. The measure originally intended having been thrown out, it was thought necessary to bring forward the present, as a matter of immediate consideration, for the relief of the poorest and most miserable class of persons in Ireland. The individuals to whom it applied were in the situation of paupers; and, in this country, would be objects of parochial relief. The hon. member then entered into an affecting picture of the situation of the Irish peasantry; and concluded by expressing his anxious wish that the Bill should go to a committee, when the hon. and learned judge might suggest such alterations as appeared to him to be necessary.

Lord *Castlereagh* said he should not have troubled the House to-night, but, as the name of Mr. Morgan had been again mentioned, he thought it necessary to state, that he had received a letter from him that day, in which he distinctly denied the allegations made against him on a former night, and stated his intention of immediately setting out from Ireland for this country, in consequence of the attack. His lordship then expressed his opposition to the Bill, which did not proceed on the principle of commutation, to which he was friendly, but was a complete defeasance of the right of the Church *quoad* this tithe, taking it away from the clergy and giving it to others, without allowing any adequate remuneration.

Mr. *Tighe* denied that any attack had been made by his right hon. friend (sir J. Newport) on the rev. Mr. Morgan. All he had done was to read to the House the rev. gentleman's own notice, written by himself, as to the collection of tithes. The hon. gent. then entered into a defence of the conduct of the great body of landlords in Ireland, in opposition to what had fallen from Mr. Hawkins Browne. Every gentleman who had spoken on the subject admitted the evil, except the learned gent. (sir W. Scott) opposite. His objections to the measure were twofold; first, that no such exemption was recognized by the law of the land; and, next, that with regard to the collection of tithes in Ireland, no evil existed. But, with respect to the first objection, its fallacy would appear, when it was known that by three different acts of parliament certain descriptions of property were exempt from tithe. Reclaimed bog and mountain-lands were exempt for seven years; the tithe of hemp was only 5*s.* an acre, although, probably, the crop on that acre would be worth 80*l.*; and all grass lands in Ireland were also exempt. So that the rich speculating agriculturist, the grower of hemp for the navy, and the wealthy grazier and butter-dealer, were favoured, while the poor cottager was refused relief. The noble lord (Desart) did not appear to have read the Bill, when he spoke of it as exempting small farmers. The fact was, it went to relieve those who possessed only half an acre of ground, and who could not be considered as farmers. He did not mean to say, that no indemnity should be given to the clergy; but if the Bill went into a committee, the learned judge would have an opportunity of proposing what would be most beneficial for this very laborious set of gentlemen. The hon. gentleman then gave a very feeling description of the misery endured by the Irish peasantry, in consequence of the mode in which tithes were collected; and concluded by expressing his hope that the Bill would be suffered to go to a committee.

Lord *Jocelyn* deprecated the charge

which had been made, without sufficient consideration, against the rev. Mr. Morgan. He had received a letter from that gentleman, in which he positively denied the truth of what had been asserted by the right hon. baronet (sir John Newport). He would not, at present, say more on this subject, as Mr. Morgan intended, in a few days, to petition parliament that he might be heard in his defence. His lordship then stated his reasons for opposing the Bill.

Mr. *Barnard* expressed himself in favour of an alteration in the system of collecting tithes in Ireland, and recommended, that the present measure should be dropped, with an understanding that government would take up the entire subject early in the next session.

Mr. *Whitbread* looked upon the present tithe system as tending to produce dissentions between the pastor and his flock, and as preventing the improvement of agriculture in both countries. He himself knew a whole tract of country then lying waste, which the owner would rather have in that state, to his own loss, and the loss of the public, than permit the clergyman to reap any benefit from it. In Ireland the system, both in a political and agricultural point of view, was fraught with mischief. Something should be promptly done, and therefore he could not agree with the proposition of the hon. gentleman (Mr. Barnard) to leave the business in the hands of the noble lord opposite. It was true, he expressed himself in favour of a change of system, but he always voted against any proposition to that effect. And it should be recollected, that the measure which had been lately introduced on the subject, was negatived by a majority of three, of whom that noble lord constituted one. Little, therefore, could be expected from that quarter. He felt himself bound to vote for the measure, because he was driven to do something on the subject; and, as an unobjectionable proposition had been defeated, he would support the present Bill, with all its imperfections, which, if they went into a committee, might perhaps be remedied. It had been said, that except the peasantry of Poland, the Irish peasantry were the most miserable in Europe; but he had conversed with a gentleman who had travelled both in Poland and Ireland, and who stated that he had never beheld such scenes of wretchedness in any country as in the sister island.

The *Attorney-General* opposed the Bill. He conceived the principle on which it proceeded was equally applicable to the tithe of gardens, and to every small tithe whatever. Much inconvenience attended the collection of tithes of this description, but that was no reason that they should be abolished.

Mr. *Parnell* was sorry to detain the House, but he thought it was a question of the highest importance. A learned judge had said, that no ecclesiastical person had given an opinion on this question, but he would prove to the contrary, for bishop Woodward had said, in his State of the Church of Ireland, " Whenever a better plan shall be suggested for the payment of the clergy, that is, one more equal in value to them in succession, and more convenient to the laity, they will thank the statesman, who shall disencumber them of the constant trouble, and the occasional ill-will, arising from tithes." He then entered into a history of tithes, and said, that he would take that opportunity of stating to the House, what he intended to propose in the next session on the general question of a commutation. He should, very early in the session, submit a resolution to it, declaratory of the expediency of a commutation, meaning to follow it up, if carried, by introducing such Bills as would be necessary to carry the plan of it into effect. Such a plan, he thought, quite practicable. He had consulted those the most competent to form a correct opinion, and he would now state the outline of it, in order that it might be examined and considered during the recess. They were as follow:—

" That an assessment be made of the whole tithe property in the following manner: First, commissioners to be appointed by parliament to ascertain the amount of tithes paid in each of the last three years; also the tithes and rates of tithes peculiar to each parish or place; and to report the same to parliament. Secondly, a select committee of the House of Commons to be appointed to examine the report of the commissioners; and make all further enquiries as shall be necessary to enable it to determine the just, equivalent, annual sum to be given to each individual, deriving an income from tithes, in lieu of that income. The equivalent to be given being thus ascertained, each county to levy, by presentment of its grand jury, such an annual sum as shall be necessary to pay that portion which shall appear to belong to it. The same to be paid by the county-treasurers to the persons entitled to receive it. [The grand juries now levy about 800,000*l.* annually by an acreable tax, for roads, &c. at a small expence of collection.] But, in order that a commutation of land for tithe may be finally and expeditiously effected, commissioners to be appointed by parliament to purchase so much land in each county as shall be equal in net annual value to the equivalent chargeable upon it. Not more than one-fifth of the land wanting to commute the whole tithes to be purchased in one year. The purchase money to be advanced by government; and so much of the county tax as shall be set free by the allotment of land to those entitled to it, to be paid by the treasurers to the government, towards the interest of the purchase money. The lands allotted to lay impropriators, to be made chargeable with the same incumbrances that affect their tithe property. Proprietors of estates under settlements to be allowed to sell so much of them as will provide the means of discharging the debts affecting them. When sufficient land shall have been obtained for the entire commutation, as the whole of the tax, levied on the counties, will be payable to government, another, falling more equally on the several descriptions of the public wealth, to be substituted in the place of it. The practical operation of this plan will be, First, the abolition of all tithes. Secondly, the securing to each individual, who now derives an income from them, an ample equivalent in land. Thirdly, the abolition of tithes will greatly enhance the profits of the landholders during the terms of their existing leases; and, finally, the rent-rolls of the landlords. Fourthly, the purchasing of so much land will increase the number of years' purchase of all landed property. And, lastly, the people will be relieved from a great practical evil, and the clergy from that trouble and ill-will which bishop Woodward says belong to the present system."

Mr. *Hume* supported the measure.

The amendment was then carried without a division; and the Bill was accordingly lost.

HOUSE OF COMMONS.

Wednesday, July 8.

Nightly Watch Regulation Bill.] Mr. *Whitbread* presented a Petition from the parish of St. Luke, against the Nightly Watch Bill, which was ordered to lie on the table. He then observed, that he hoped this Bill would be postponed till the next session, inasmuch as it was altogether inadequate to its object, and would impose upon the parishes subjected to its operation an additional annual expence of 74,000*l.*

Sir *S. Romilly* remarked, that the Bill gave new and extraordinary powers to the police magistrates; and that those who now petitioned against it were the inhabitants for the protection of whose interests the Bill was introduced.

Mr. W. Smith, sir F. Burdett and Mr. Abercromby concurred in reprobating all the provisions of the Bill.

Mr. *Hume* declared, that he had left the committee on finding no attention paid to any of his suggestions.

Mr. *Bathurst* was of opinion that something useful might be found in it, and would therefore move to postpone it for further consideration till Monday next.

Mr. *Byng* said, that all the parishes in the county of Middlesex were unanimous in their opposition to this Bill, which they considered as a direct tax, that would prove perfectly nugatory with respect to its avowed object.

Mr. *Mellish*, in the present advanced state of the session, wished the Bill to be deferred till next session.

Mr. *Brougham* thought the wisest course would be, to abandon the Bill at once, as it was altogether bad: he objected to legislation on sudden and temporary impulses and passions: he said the Bill went to alter the whole system of police in the metropolis, and to give to the police officers a power of an alarming description. The clause to which he had a particular objection, was that which created a new place for a superintending constable. The present constables were generally respectable housekeepers, who acted gratuitously, and who were entitled, in no small degree, to the protection of government. The present Bill threw a suspicion on this meritorious body of men, whilst the committee did not think it their duty to make the least enquiry into the police Boards of the metropolis, which were eight in number, and which might have given them, in his opinion, subject enough for animadversion. To these Boards the Bill intended to give the appointment of the new officers, as if they had not power and patronage enough already. And of what description of persons was it, he begged the House to consider, that these Boards were composed—of bankrupts, who had turned their backs upon business for a better trade;—of lawyers, who gave up their practice in Westminster-hall;—and of lawyers who did not give up their practice in Westminster-hall because they had none—of poets in particular—yes, poets—not one of them that had not its poet. These Boards were infinitely better stocked with poets than even the treasury, where there was but one epic poet (a laugh). Such was the composition of these Boards, and it was to them that a new power was to be given by the clause to which he alluded. The duty of the new officer would be, to go round every night, and see if the ordinary constables, the householders, were in proper attendance; that is, a power was to be given to the nominee of some "poetical justice" of Marlborough-street, or Bow-street, or Queen-square, which he was to exercise over a number of respectable parishioners. He protested against the grant of any such power, and once more begged the House to pause before they proceeded to legislate on mere impulse, on the rash and busy principle of making laws from particular occasions.

The Petition was then ordered to lie on the table.

Report of the Secret Committee on the Disturbed State of certain Counties.] Mr. Leycester reported from the Committee of Secrecy, to whom the copies of the Information which has been received relative to certain violent proceedings which, in defiance of the laws, have taken place, and continue to be carried on, in several counties in England (sealed up), were referred; that they had examined the matters thereof, and had directed him to report the same to the House; and the Report was read, as follows;

REPORT.

The Committee of Secrecy, to whom the copies of the information which has been received, relative to certain violent proceedings which, in defiance of the laws, have taken place, and continued to be carried on, in several counties of England, (sealed up) were referred—have, pursuant to the Order of the House, examined the matters thereof, and have agreed to the following Report:—

"Your Committee having examined the papers and documents referred to them, are concerned to state, that from the several sources of information therein contained, it appears that for some months past serious and alarming disturbances, destructive to property, and highly dangerous to private safety and the public peace, have prevailed in a very extensive populous manufacturing district, comprising certain parts of Lancashire and of the West Riding of Yorkshire, and certain parts of Cheshire bordering upon Lancashire.

"That the outrages in the above district, brought to the notice of your committee, commenced about the end of February last, and continued (though not without occasional variation and temporary abatement) to the latest period (the 23d of June) at which any information has been received. During this period, rioters in large numbers have assembled in the night time; some of them, disguised by blackened faces, some armed with guns and pistols, and others with the implements of their trade, to be used as offensive weapons, have broken into various houses, particularly those of the manufacturers who made use of shearing frames, have destroyed the machinery, sometimes plundered the inhabitants, and burnt their houses and factories, exciting and keeping up perpetual terror in the country, by threatening letters and other means of intimidation, occasionally executing their threats against proprietors and others, not only by the destruction of the property, but by firing into the houses. It appears also, that in some instances attempts have been made on the lives of those who had been actively employed in endeavouring to suppress the tumults; and the atrocious murder of Mr. Horsfall, a very respectable manufacturer in the neighbourhood of Huddersfield, in the month of April, by four men who fired at him with slugs in the public road, in broad day, together with the other acts of violence, caused a great and general consternation over all the district.

"It may be proper to add, that parties of the rioters assembled, have, in several instances, demanded and obtained money from individuals by threats and terror.

"Your committee do not think it necessary to describe the numerous acts of outrage that have been committed, conceiving it sufficient for the purposes of the Report, to inform the House of the general state of the disturbed parts, without any particular detail of specific facts.

"The object of these lawless proceedings, at the commencement of them, appears to have been the destruction of machinery:—but very early in their progress another object, still more formidable to the public security, has been developed; large bodies of men having assembled in the night, breaking open houses, and demanding arms with threats and violence.—This practice has been actively persevered in; and though in some cases the plunder of property has accompanied both the destruction of machinery and the demanding of arms, yet it is material to observe, that in general these two objects seem exclusively to have been aimed at; and when these had been attained, every other species of property, though within their reach, has, in most instances, remained untouched. It is stated, that in the neighbourhood of Huddersfield, all the arms have been taken; and that in other parts the seizure of them has been considerable; and there is reason to apprehend, that the rioters have different sorts of arms concealed. It appears evident to your committee, that these outrages have not been committed from any sudden impulse of unconnected individuals, but have been the result of organized systems of unlawful violence; that language of the most mischievous nature has been used among the rioters, and a sort of military training and discipline has been established.

"In making attacks upon houses, they sometimes appear to have been under the controul of leaders, and to have acted upon signals. Rolls have been called over, distinguishing every man, not by his name, but by a number; rockets and blue lights have been seen at night, which are stated, by the persons making the communications, to have been signals made use of by the rioters. It is also represented, that there are establishments of committees, under the name of local committees, secret committees, and executive committees; that they use signs and countersigns, to guard them against the intrusion of informers; and that they carry on their proceedings with the greatest secrecy and caution.

"It appears also that delegates for various places have been appointed, and meetings of those delegates occasionally held; that there is a frequent communication between the several committees and towns, not through the ordinary conveyance of the post-office, but through the medium of delegates; and that the following Oath has been extensively administered:

"'I *A. B.* of my own voluntary will, do 'declare and solemnly swear, that I will 'never reveal to any person or persons, in 'any place or places under the canopy of 'heaven, the names of the persons who 'compose the secret committee, either by 'word, deed, or sign; their proceedings, 'meeting place, abode, dress, features, 'marks, complexion, connections, or any 'thing else that may lead to the discovery 'of the same; on the penalty of being put 'out of the world by the first brother 'that shall meet me, my name and character blotted out of existence, and never 'be remembered but with contempt and 'abhorrence. I further swear, that I will 'use my best endeavours to punish by 'death any traitor or traitors, should any 'rise up amongst us, he or them; and 'though he should fly to the verge of 'nature, I will pursue him with unceasing 'vengeance. So help me God, to keep 'this Oath inviolable.'

"It appears that they who were sworn in, were to pay the weekly sum of twopence; and that in the meetings of delegates at Manchester, from the neighbouring towns, discord has occasionally arisen from some of the delegates not bringing from their respective districts the contributions that were due. No evidence or information, that has been laid before your committee, justifies the supposition, that any sums of money have been distributed among the rioters.

"It appears also, that attempts have been made to create a persuasion amongst the persons engaged in these disturbances, that their proceedings are likely to be supported by similar combinations in London and in other parts of Great Britain, as well as in Ireland; and that they are countenanced by individuals of a higher class and description, who are to declare themselves at a future time. But no evidence has been laid before your committee to sanction any such reports.

"It appears to your committee, that even in the cases in which the outrages have been most clearly ascertained, it has been found extremely difficult, and in some instances impossible, to obtain evidence as to the persons by whom they were committed.

"Of the numbers associated in the different parts of the disturbed district, your committee have not any information that can be satisfactorily relied upon; but that it is considerable, the papers laid before them give sufficient ground to think. Neither can they presume to state, what is the ultimate object the persons thus associated, have in view, nor for what precise purpose it is, that these extensive combinations have been formed. But whatever may be the object, or whoever may be the secret movers, whether these combinations are confined to purposes relating exclusively to trade, or whether advantage has been taken of the distresses of the times to draw together, under that pretence, all discontented persons, with views hereafter to be developed; yet the secrecy and method apparent in the whole arrangement, the system of terror so industriously enforced by threats, assassination, and attempts at assassination, the oath administered, the eagerness and activity in procuring arms, and the training, before mentioned, are all circumstances which have not failed to impress upon the minds of your committee, a strong sense of the danger arising from such combinations, to the peace and security of the country."

July 8, 1812.

On the motion that the Report do lie on the table,

Mr. *Ponsonby* wished to know if the right hon. gentleman opposite intended to move that it be printed and taken into consideration?

The *Chancellor of the Exchequer* said, he should move that the Report be printed, and taken into consideration on Friday or Monday, it being his intention to move for leave to bring in a Bill or Bills founded on the facts detailed in the Report.

Mr. *Ponsonby* begged to know what would be the nature of the Bill or Bills the right hon. gentleman purposed introducing?

The *Chancellor of the Exchequer* thought it better to reserve himself on that point, till the Report came to be taken into consideration.

Mr. *Whitbread*, as one of the members who had attended the Secret Committee, could not but express his surprise that the Chancellor of the Exchequer was not prepared to state what his object was, as the Report was founded entirely on the evidence which had previously been before government, and all other evidence had been excluded. He had been twice in a minority in the committee on this very question of examining witnesses for the purpose of ascertaining what was the actual state of matters down to the latest moment. He himself had, on one occasion, submitted a motion in the committee to this effect, and on another occasion an hon. friend of his had submitted a similar motion, both of which had been negatived. He agreed with the Report in part, and there was part of it from which he disagreed. He could not agree that any measure should be brought forward, founded on the Report; but asserted that the law as it stood, if properly and vigorously exerted, was amply sufficient for every good purpose.

Mr. *Bathurst* thought that any observations on the subject had better be postponed, till the time when the Report was to be taken into consideration.

Mr. *Ponsonby* again pressed to know what was meant to be the scope of the Bills which it was in contemplation to propose? He could not conceive any objection to this, but thought it was only such information as ought to be afforded for the satisfaction and convenience of the House.—No answer being given,

Mr. *Whitbread* said, he could put no other construction on the silence of the right hon. gentlemen opposite, but this, that they themselves were at this moment ignorant what they should propose.

Mr. *Bathurst* said, that this should not provoke them to an answer where they did not think it called for.

Sir *F. Burdett* thought the country had a right to know what was to be the general outline, at least, of the measures which were in contemplation.

The Report was then ordered to be printed, and taken into consideration on Friday.

HOUSE OF COMMONS.

Thursday, July 9.

Sir Thomas Turton's Financial Resolutions.] Sir *Thomas Turton* said, he did not rise for the purpose of submitting to the House for their discussion, at that time, the Financial Resolutions of which he had already given notice. He admitted that no measure had been resorted to since the new financial arrangements, which he could fairly consider as objectionable. He rose now merely for the purpose of reading his Resolutions, which he believed would be of incalculable benefit if finally adopted, and systematically adhered to. He then rose to give notice that he would on Monday next, move that the House do proceed to take the said Resolutions into consideration; the Resolutions were then read by the hon. baronet *pro forma*, as follow:

1. " That the amount of the capital funded debt of Great Britain, on the 1st day of February, 1802, was 536,657,603*l.* 6*s.* 5¾*d.* exclusive of annuities for lives or for terms of years, to the amount of 1,081,357*l.* 19*s.* 1¾*d.*;—of which there had been purchased by the commissioners for redeeming the national debt, 59,588,904*l.*; and transferred to the said commissioners, for land tax redeemed, 18,001,148*l.* 5*s.* 5*d.*; and annuities had fallen in, amounting to 79,880*l.* 14*s.* 6*d.* reducing the debt to 459,067,551*l.* 1*s.* 0¾*d.* and the annuities to 1,001,477*l.* 4*s.* 7¾*d.*

2. " That the amount of the capital funded debt of Ireland, payable in Great Britain, on the 1st February, 1802, was 19,708,750*l.*; of which there had been redeemed by the said commissioners 786,407*l.*; leaving the debt of Ireland at 18,922,343*l.*

3. " That the amount of the capital funded debt of Great Britain, on the 1st February 1812, was 747,429,339*l.* 11*s.* 3¼*d.* being an increase of the debt since 1802 of 204,237,812*l.* 18*s.* 9¼*d.* of which there has been transferred to the commissioners, by reason of land tax redeemed, 23,941,057*l.* 6*s.* 7*d.*; and for the purchase of life annuities, 1,606,040*l.*; which sums, together with 189,538,480*l.* purchased by the commissioners for redeeming the national debt, leave the total amount of debt on the 1st February 1812, 556,284,819*l.* 0*s.* 11¾*d.*

4. " That the amount of the capital funded debt of Ireland, on the 1st February 1812, was 61,274,250*l.*; being an increase of the debt, since 1802, of 41,565,500*l.*; of which there has been redeemed by the commissioners, 9,085,958*l.*; leaving the total funded debt of Ireland, 52,188,292*l.*

5. " That the loans to the emperor of Germany, forming part of the funded debt of Great Britain, amount to 7,502,633*l.* 6*s.* 8*d.*; of which there has been redeemed by the said commissioners, 1,234,514*l.*; leaving the debt unredeemed, on the 1st February 1812, 6,268,119*l.* 6*s.* 8*d.*

6. " That the loan to the prince regent of Portugal amounted, on the 1st February 1812, to 895,522*l.* 7*s.* 9*d.*; of which there has been redeemed by the commissioners, 118,568*l.*; leaving an unredeemed debt of 776,954*l.* 7*s.* 9*d.*

7. " That the funded debt created in 1807 by the 47th of the present King, and charged on war taxes, amounts to 18,072,000*l.*; of which, 4,968,107*l.* has been redeemed by the commissioners for reduction of debt; leaving of unredeemed debt charged on war taxes, 13,103,893*l.*

8. " That the total of funded debt, consisting of the foregoing items, and unredeemed on the 1st February 1812, amounts to 615,518,185*l.* 5*s.* 5¾*d.*

9. " That the annual interest of the said debt is 20,749,828*l.* 14*s.* 7¼*d.* and the total charge thereof, including expences of management, &c. 35,608,615*l.* 1*s.* 5*d.*

10. " That the amount of unfunded debt of Great Britain on the 5th January 1804, was 23,787,251*l.* 15*s.* 3¾*d.*; in 1805, 31,515,548*l.* 3*s.* 9½*d.*; and on the 5th January 1812 (including outstanding demands at that date) 54,038,059*l.* 14*s.* 8¼*d.* being an increase of the unfunded debt, compared with the year 1804, of 30,250,807*l.* 19*s.* 4¼*d.*, and making the amount of the funded and unfunded debt at the commencement of the present year 669,556,245*l.*

11. " That the amount of money raised for the service of the year ending 5th January 1804, was 58,500,915*l.* 11*s.* 10¼*d.* and of the year ending 5th January 1812, 105,718,682*l.* 13*s.* 6½*d.* being an increase in that period of 47,217,767*l.* 1*s.* 8¼*d.*

That the net produce of the permanent taxes, on the 5th January 1802, was 14,497,000*l.* and in the year ending 5th April 1812, 40,986,860*l.* 16*s.* 10½*d.* being an increase of 26,689,000*l.*

12. " That the amount of the war taxes in the year ending 5th April 1812, was 21,999,550*l.* 9*s.* 4¾*d.* making the net sum raised by taxes in that year 62,986,411*l.* 6*s.* 3¼*d.*

13. " That, under the financial difficulties of the country, and the great pressure of taxation on the subject, it becomes the bounden duty of parliament to recommend, and of ministers to practise, the most rigid economy in every department of the state; and, above all things, to use every endeavour (without endangering the security or compromising the honour of the country) to procure to the people the restoration of the blessings of peace, as the only effectual means of relieving the burdens of the country, or of averting the (otherwise) inevitable ruin of its finances, if the same scale of expenditure be continued for a much longer time."

The *Chancellor of the Exchequer* gave notice of his intention of moving a series of counter Resolutions to those proposed by the hon. baronet.

HOUSE OF LORDS.

Friday, July 10.

MR. PALMER'S PER-CENTAGE BILL.]—The Earl of Moira moved the order of the day for the committal of this Bill, and the House went into a committee accordingly.

The *Lord Chancellor,* in the committee, moved, that the first clause of the Bill granting the per-centage of 2½ on the net revenue of the Post-office beyond 240,000*l.* be omitted. As a ground for rejecting the clause, he stated, that it was founded on a false recital, for it purported, that this per-centage should be given according to the terms of the warrant of 1789, which only conferred a grant during pleasure. The preamble stated nothing like an agreement. If Mr. Palmer was convinced that there was any agreement, why did he not consent to an issue to try whether there was one, or whether if there was one, it had not been abandoned; and if not abandoned, whether it had not been put an end to by Mr. Palmer violating the conditions? Their lordships ought also to remember, that the grant was to be charged upon the whole of the Post-office revenue, as well that part which was the hereditary revenue of the crown, as that which belonged more peculiarly to the public. This sum of 78,000*l.* and 9,000*l.* a year, ought not to be given away out of the public money at any time in such a case as this, without a clear and distinct agreement and bargain, and there was here neither agreement nor bargain. The consent of the crown had not been given to this Bill.

The Earl of *Moira* allowed that there was no technical agreement, but he insisted that there was such an understanding as ought to bind the justice and equity of their lordships. He also spoke for the public, whose interest it was, that great public services should be justly rewarded. The noble and learned lord could not surely mean to say, that the whole of the Post-office revenue was the hereditary revenue of the crown; and if not, it ought to be known, that this per-centage did not attach upon the Post-office revenue till it went beyond 240,000*l.* while the hereditary revenue did not amount to more than 150,000*l.* The claim was founded in equity and justice, and ought therefore to be allowed.

Lord *Holland* said, that he felt the want of lord Somers in that House in order to take care that unconstitutional doctrines were not promulgated from high authorities. Did the noble and learned lord mean to say, that the hereditary revenue of the crown was beyond the controul of parliament? If he misunderstood the noble and learned lord, he should be glad to sit down and give him an opportunity to explain.

The Earl of *Lauderdale* said, that the noble and learned lord had not said that parliament had not a controul over the hereditary revenue of the crown. He had only said, that the consent of the crown had not been given to this Bill in that House; the necessity of which consent was a most salutary check against the mischiefs which might result from canvassing the Houses of Parliament for grants of the public money. He denied that there was any agreement whatever in this case; and contended, that this clause must be left out, as it proceeded on a recital which was absolutely false; but then it was said, that the House of Commons had resolved, that this ought to be a grant for life; and they had done it rather whimsically, for they had resolved, that the per-centage ought to be granted for life, according to the terms of a warrant, which all admitted was only a grant during pleasure. Was this a reason for their lordships to join in this absurdity? It was impossible, that they could do so, unless they were prepared to maintain, that the grant of an office during pleasure, meant the same thing as granting it for life. His friends near him had generally held, that there was a very substantial distinction; and how came they to alter their opinions on the present occasion? He concluded by declaring his decided opposition to the clause.

Lord *Holland* complained that this agreement had been violated, for he had sat down that the noble and learned lord might explain, but instead of that, his noble friend near him had explained for him. The argument of his noble friend, however, was not much to the purpose, and gave no explanation at all. He agreed, that the check to which his noble friend adverted was a salutary one, but he understood the noble and learned lord to say something which amounted to this—that parliament had no authority to make any regulations in regard to the hereditary revenue of the crown, that would bind the successors of the crown. This was most unconstitutional: and he thought the doctrine might be attended with mischievous consequences, when coming from a person in such a high station.

Lord *Redesdale* spoke against the clause upon much the same ground as the Lord Chancellor and lord Lauderdale. The clause recited, that the grant was to be for life, in pursuance of a warrant, which could not be issued for any other than a grant during pleasure. Why did not Mr. Palmer submit his case to a jury? He had formerly brought it into a court of law, but in such a manner as made him certain of being non-suited. If he had filed his bill in the Exchequer, an issue would have been directed, and the fact of the existence of the agreement tried; but the truth was, Mr. Palmer was afraid to submit his case to a jury.

Lord *Erskine* said, that as he construed the clause, there was no inconsistency in it. It would be a very difficult thing indeed to put this in such a shape, as to bring it fairly before a jury. It was more proper that their lordships should decide according to what appeared to them to be just and equitable, upon due consideration of all the circumstances.

Lord *Grantley* supported the clause.

The *Lord Chancellor* wished that lord Somers had been here, for he would either have frightened this Bill out of the House, or the Bill would have frightened him out of it.

A division then took place on the per centage clause—For it 33; Against it 28; Majority in favour of the clause 5; A second division took place, on the clause for granting the arrears of 78,000*l.* For it 31; Against it 26; Majority for the clause, 5. A third division took place,—we believe on the clause for granting the money clear of all deductions. For it 29; Against it 24; Majority for the clause, 5. It was understood, however, that another Bill should be passed, subjecting the grant to the property-tax. The Bill then passed the committee, and the third reading was fixed for Tuesday.

HOUSE OF COMMONS.

Friday, July 10.

The Chancellor of the Exchequer's Financial Resolutions.] The *Chancellor of the Exchequer* moved the Financial Resolutions, for which see July 23.

Preservation of the Public Peace Bill.] The order of the day being read for taking the Report from the Committee of Secrecy into further consideration,

Lord *Castlereagh* rose and said, that in calling the attention of the House to the subject now under consideration, in proposing to the House to found a Bill on the Report of the Committee, was anxious, on his own account, and on account of his colleagues, to explain the reasons which had made them feel it to be necessary to call the attention of the House to the present disturbed state of the country. The House would perhaps allow him to say, that nothing but a conviction that not to do so would be to omit that which it was their duty to do, could induce them now to bring this subject before parliament. It had been their wish and their endeavour to preserve the public peace by an ordinary course of law, and it was their hope that they would have been enabled to abstain from proposing such measures as now appeared to be necessary, without being guilty of an abandonment of duty. The delays which had taken place, he trusted the House would consider as an earnest of the wishes of government that parliament might be allowed to separate, after the arduous labours of a long session, without being called upon to give their attention to that which was now brought under their consideration, and certainly they had had reason to indulge such a hope, as several of the disturbed counties, and the town of Nottingham in particular, had been restored to a state of comparative tranquillity by the exercise of the ordinary course of law. Special commissioners had been sent down to Lancaster and Cheshire, and these, with the means which the magistrates had it in their power to call forth, it was hoped, would have been sufficient to repress the evil without any further aid from parliament. Unhappily, the disturbances, in their progress, had assumed a character which at first they did not bear. They had assumed more of a military character; they were more regular, more formal, and consequently more formidable latterly, than they had at first appeared to be. They had been marked by a desire for arms, and that desire for arms had so increased, that his Majesty's government would have failed in their duty not to have brought the circumstances under the consideration of the House. The communications lately received from the lieutenant of the west riding in Yorkshire, and many other quarters, contained representations, not only of the progress of a system of a most dangerous and alarming nature, but they set forth, that, unless some additional power were granted in aid of the law as it at present stood, they could not cope with the evil. He (lord Castlereagh) had been anxious, if government could have made up its mind sufficiently early to interpose, to prevent the call of the House being discharged; but at that time ministers were waiting for information on the subject from the lieutenant of the west riding in Yorkshire, to enable them to determine on the line of conduct proper to be pursued; and the House would recollect that on the next day but one after the call of the House had been discharged, he had given notice that he should have a communication to make respecting the disturbed districts. In looking to the nature of the evil which now pressed on their attention, it appeared to him more material to consider its present aspect, than to trace it to its source. With respect to its causes, a variety of opinions might be entertained, and though it might be desirable to look to its origin, in order to ascertain the extent of its malignity, yet still to him its present aspect appeared of superior importance. It was his opinion that the evil would not have arrived to its present extent, but for circumstances which he hoped were but temporary in their nature. He considered it as arising in a great degree from the distresses of the manufacturing districts, aggravated as they were by the high price of provisions, which had pressed severely on the lower orders; these persons uniting, in the first instance, without any intention of carrying their proceedings to the lengths to which they had been carried, had, from making war on their masters, and against machinery, felt their own power. They then sought new enemies, and at last assumed a military character of so serious a nature, so malignant, and so marked by conduct and deliberation, that government would be culpable longer to forbear calling the attention of the House to the subject. From the oaths by which they were bound, it must be seen, that a combination existed of a most secret nature, and when it was known that such an association was formed, that oaths were taken to commit the most diabolical crime which society knew of, if they were betrayed; it would be a delusion calculated to lull the country into a false security, not to call for some legislative measure to meet the necessity. If something were not now done to avert the evil with the strong arm of the law, there was no danger to which combination could lead, which, from the character of the present disturbances, might not be expected. Under these circumstances, the nature and character of the association had been described by the committee in their Report. They had not entered into a detail of all the transactions connected with it, as to such a detail their Report was inadequate; yet they had stated enough to call the attention of the House to the subject. He understood an hon. member to have said in the committee, when he (lord C.) was not present, that he did not imagine that any thing more was necessary than that the magistrates should exercise the law as it at present stood, with vigour; and that he seemed in some measure to blame the committee for not going into further examinations. With respect to the latter observation, he would say, that he (lord C.) had thought, that to go into parole evidence on the subject, would not give them a more perfect view of the state of the case than they had of it without going into such evidence. It was not for the committee to go into a general enquiry into the state of the country. They had been appointed for a particular purpose, and it was their province merely to enquire into the nature of one particular evil, and to consider what was the remedy which ought to be applied to it. The hon. member would not deny that it was competent for parliament to make an enactment, without first making such an enquiry; and the only question therefore was, whether government ought to have made any communication at all to parliament on the subject; or whether, having made a communication, that communication was sufficiently ample? The notoriety of the disturbances was such, that every person who at all attended to the ordinary sources of information must be in some measure acquainted with them; but, when that general information was fortified with that furnished by the sources thrown open to the secret committee, he apprehended no doubt could remain of the nature of the combination. He thought no committee could have a more extensive case made out. They had before them the opinions of the various lieutenancies—the depositions given before the lieutenants, together with local informations on the subject. Various representations had been made, and particularly from the west riding of Yorkshire, stating the law, as at present exercised, to be insufficient to enable the magistrates effectually to cope with the danger. They had, besides, communications from all the magistrates of the disturbed districts, containing depositions on oath, many of which had been confirmed by facts which had come out on the trials and convictions which had taken place. They had evidence of the secret meetings of the rioters, which several subsequent circumstances proved to be correct. The events stated to have been determined on at the secret meetings had been realized. In particular, they had received intelligence of the meditated destruction of a mill, which was put off from time to time by the secret meeting, and was ultimately destroyed at the time last appointed. The subject now therefore came before parliament, not merely on the ground of the notoriety of the danger, but on the ground of that danger being confirmed by the Report of the Secret Committee; and on all the material assertions made, he believed there had been no essential difference in the committee. In looking to what length it might be desirable to go on the present occasion, he admitted that neither the magistrates nor the government had a right to expect any extraordinary powers from parliament, unless they could prove a necessity for such aid, from the impracticability of effectually meeting the evil by the ordinary course of law. He understood an hon. gent. had said, the law, if exercised with vigour, would be equal to the emergency of the case. He (lord C.) was of a different opinion. As the law at present stood, it could not at once be exercised with sufficient vigour every where to remove the danger. Some magistrates, through various circumstances, were incapable of exerting themselves so effectually as others. If thus the legislature were to wait till the utmost the law could at present effect had been done every where, they might find that principle pushed too far to be very dangerous. On the other hand, it would be unfair and untrue to describe the conduct of the magistrates as having been undeserving, or, indeed, as not having been meritorious. Generally speaking, their conduct had been highly meritorious; and if some exceptions appeared, if the conduct of some had appeared less praise worthy than that of others, enough was not known of all the circumstance of the districts in which they acted, to justify any thing like a charge against such magistrates. Admitting the magistrates would in every part be enabled to discharge their duty with vigour, he still contended that the evil bore a character with which the existing power of the magistrate was not able to contend. On the part of government, the most unremitting exertions had been made to avoid coming to parliament for extraordinary powers. Very early in the progress of the disturbances a large military force had been sent down to quell the disturbed districts. It was so great that at first it might appear sufficient to protect the peaceable inhabitants from any dangers, but the proceedings which had taken place on the part of the rioters, were of such a description, that all the army of the empire could not afford protection and safety to the King's faithful subjects against their depredations, as the law at present stood. Government had also encouraged the lieutenancies to call forth, in as extensive a degree as they might think necessary, that species of force, which was so peculiarly adapted to their defence—the local militia; and he was happy to say, that on this occasion, the value and stability of that force had been most eminently conspicuous. The government had also given the greatest encouragement to voluntary associations for the defence of property. They had been anxious to impress on the minds of the inhabitants, that it was not by the military that the rioters could be effectually put down, but by those only who had a stake and property in, and a knowledge of the country. They, therefore, set the inhabitants in array against the disturbers. They had also given them the benefit of a valuable measure, enabling them to establish a watch and ward in that district. As the law at present stood, it had been frequently found impracticable to enforce it. The unlawful Oaths Act, and the Act for punishing more severely the destroying of machinery, &c. had been proposed to meet the evil, but these of themselves were not sufficient. He would now call the attention of the House to those evils which it was desirable to prevent, and to meet which, the power of the magistrates, as the law at present stood, was particularly inadequate. He would here particularly state, that he would rather look to a future recurrence to parliament, under the most inconvenient circumstances, than call at present for any thing more than those precautionary measures which circumstances rendered absolutely necessary. With this feeling he wished the law to be limited, not only in point of time, but also with respect to space. He would wish it in the first instance, not to affect the whole country, but only those districts requiring extraordinary powers. It was his intention in asking leave to bring in this Bill, to propose to limit its duration to the shortest period at which parliament could be expected to assemble, to act on its assembling as circumstances might require. He wished it to be confined to the counties where the disturbances prevailed in the first instance, leaving the crown the power of extending its provisions by proclamation, if it should appear necessary. There were three points, to which he thought attention ought to be particularly directed: 1st. To make a more effectual provision to keep the rioters from possessing themselves of fire-arms. 2. To guard against the effects of tumultuary meetings. 3. To give more effectual power and more extensive jurisdiction to the magistrates of the disturbed districts. In the first place, with respect to arms: from an early period it had been the object of the rioters to possess themselves of arms; at first this had appeared merely an incidental object, but latterly it had been their professed system to strip the country of arms. With a view more effectually to enable the magistrates to recover those arms, it was his intention to propose an alteration in the law. At present the law required that a deposition should be made on oath that arms were deposited in a certain place, before a search could be made. This being the law, even after the events which had taken place at Huddersfield, when the whole place was stripped of arms, a search could not be made without such a deposition. The first regulation he would propose was, that any magistrate of the disturbed districts should have the power of searching, and of authorising his officers, by his warrant, to search not only for stolen arms, but for secreted arms, and he thought there could be no hesitation in giving them the power of searching for both. If they were to stop there, they would not go far enough. Many well disposed persons would willingly give up their arms to the safe custody of the military, who were afraid of being seen voluntarily to give them up, lest such conduct should expose them to the fury of the rioters. He wished to give the magistrates the power of calling on the inhabitants to surrender their arms, receipts being given for the same. At the same time, he was for making a provision to suffer those to retain their arms, who would probably have occasion, and who having them, would be likely to use them in defence of their property. To persons so wishing to retain their arms, and not satisfying the magistrates with respect to the purposes for which they wished to retain them, he proposed to give the benefit of an appeal to a special session, to be held every three weeks. Tumultuary meetings had lately taken place, not merely in the night, but in the day time; a large number of persons had been seen in military array, exercising themselves in the use of arms. [Here Mr. Whitbread seemed to make some objections to what the noble lord had advanced.] The hon. gentleman might doubt to what purpose such a force would be applied when trained; but he (lord C.) thought the hon. gentleman would admit, that in no country was an army suffered to exist not trained under the law, much less raised in opposition to it. Whether the force of which he spoke should apply itself merely to effect the destruction of mills and machinery (the most innocent objects which he conceived it could be supposed to have in view) or ultimately to oppose the King's troops, he was confident that he should have the hon. gentleman's strong support on this point, that such an army ought to be put down. A body of this description, consisting of about 700 persons, had been known to assemble on Sunday, while divine service was performing at about one or two o'clock in the day, for the purpose of training themselves. On such an occasion the magistrates could only read the Riot Act and order them to disperse. They could, however, do nothing till the end of an hour, and thus the rioters had time to accomplish the purpose for which they were assembled, as they did not assemble to commit acts of violence in the first instance. The magistrates of York, in stating this, had not in his opinion overstepped their duty. They had not set forth an imaginary case, but in his opinion they had made out a clear case, and they had fairly declared, that with no more powers than they at present possesed, they could not be answerable for what might occur. He should propose, that the magistrates should have the power of immediately dispersing a tumultuous body, and to make those who did not disperse when so called upon, liable to be punished. The Bill would fall short of the object for which it was framed, if it only gave this power with respect to one description of meetings. It was desirable that it should extend equally to nocturnal meetings and to meetings in the day time, and it would therefore be framed so as to give the magistrates power immediately to disperse all tumultuary meetings, whether they were for the purpose of training or drilling themselves in the use of arms or not; and not only to give the power of dispersing such bodies, for if their power were confined to dispersing them, the measure might be far from being such as was necessary to prevent the accomplishment of the rioters designs; he wished, therefore, not only to give that power, but also to give the power of arrest. He would enable the magistrates to arrest those who had not dispersed immediately, hold them to bail for the offence, and put them on their trial at the quarter sessions for a misdemeanor. The plan of the Bill was, to embrace and to meet all the proceedings of the rioters as far as possible. Now, with respect to a third point, he had to observe, that in many parts there were not a sufficient number of magistrates to enforce the law with all the rigour that might be desired, and on the borders of the disturbed counties, by escaping into an adjoining county, the law might be defeated for want of sufficient jurisdiction. He would, therefore, propose, that for the time being, the magistrates in the disturbed counties and in the counties adjacent, should have a concurrent jurisdiction. He thought the House would see the measure would be likely to be much more effectual if the limits of a county were not suffered to form a boundary to the jurisdiction of a magistrate for the present. This, the House would feel, was as small a departure as could possibly be made from the established law of the land to meet an extraordinary case, and the measure proposed would be limited in its operation, as much as possible. If these suggestions were adopted, he hoped the present disturbances would rapidly subside. It was acting on a parliamentary feeling, and on a feeling which every benevolent mind must approve, not to overstep the necessity of the case. He hoped much good would result from the attention of parliament being given to this subject. He had never known an instance in which respect for the decision of parliament had not produced beneficial consequences. He hoped, in the same instance, it would have a proper effect on the unfortunate and deluded men whose conduct rendered some proceeding necessary.—He called them unfortunate, because he believed many of them had been drawn into this association, ignorant of the consequences to which it would lead; and many, he believed, having engaged, were afraid to detach themselves from the confederacy on account of the oath they had taken, and from a dread of the vengeance of their companions. When, however, they saw that the attention of parliament was directed to the subject, anxious to deal leniently by them, yet firm in their proceedings, to their decision he thought they would bow. Disappointed in this expectation, parliament would be called together under circumstances the most inconvenient, to take such measures as might become necessary; but even this, unpleasant as it might be, was thought preferable to anticipating that necessity, and requiring stronger measures than appeared to be at present demanded. He concluded by moving for leave to bring in a Bill "For the preservation of the public peace in the disturbed counties, and to give additional powers to the justices for a limited time, for that purpose."

Mr. *Whitbread* said, that the excuse of the noble lord for not sooner requesting the advice and assistance of parliament, and for having discharged the order for the call of the House, only a day or two before he gave notice of the communication which led to the measures he proposed to bring forward at the present moment, was, that he waited until government should obtain some information from the north, which should enable them to make up their minds upon at least one subject; not indeed upon the question of what measure should be recommended by the cabinet, but whether they should take upon themselves to recommend any at all. This was not a matter of much importance as respected the present debate; but it shewed what confidence the House and the country were to place in men of such vaccillating minds, and of such indecision of character in times like those in which they lived. The noble lord had alluded to differences of opinion in the committee. The noble lord wished merely to look at the surface of the evil: he (Mr. Whitbread) on the contrary, was anxious to ascertain its cause, as the only means of applying an effectual remedy. That the short delay that would thus have been occasioned would have produced no injury, he had the satisfaction of knowing from the circumstance, that from the 23d of June to the 8th of July, ministers had received no further intelligence from those quarters, whose duty it would have been to have transmitted it, if the evil had been aggravated. For his own part, he felt it his duty to declare, he was by no means satisfied with the present mode of proceeding. The consequence of not being allowed to enter upon the verbal evidence was the *jejune* report, with which the House of Commons had been affronted, and the House was left in comparative darkness, instead of being provided with such facts of the testimony, at least, as could, without danger to the witnesses, be published. The noble lord had made a long statement of what he called facts, which was wholly unwarranted in many parts by the Report upon the table. His (Mr. Whitbread's) wish had been to try the truth of the anonymous information communicated, but although he divided the committee, and had in one instance seven out of seventeen, and in another nine out of nineteen in favour of his proposal, they were obliged to content themselves with that intelligence which government thought fit to supply. He called upon the noble lord to point out to him any part of the Report upon the table, or of the documents on which it was founded, which authorized the assertion he had made, that there existed an army arrayed in the country, and that it was necessary to put a stop to the increase of that army. He denied positively that such was the case—nay, so far from an army, he would undertake to say there was no evidence of there being a regiment—not a company—nay, not even half a company of such persons as the noble lord had so emphatically described. The noble lord had naturally shewn a great reluctance to enter into the origin of these unfortunate events, but the real truth of the case was, that we had a very extensive manufacturing population, brought, from want of employment, into a state of the most deplorable distress, out of which dreadful state all those assemblies had arisen. The nation depended for its prosperity on the success of its manufactures—the system of policy pursued during the last twenty years, had reduced the manufacturing classes to a state of distress which had given rise to the disturbances so much lamented in Nottingham, Yorkshire, Lancashire, and Cheshire. The noble lord had talked likewise of leaders, but where was there one to be found? Only in the terrified imaginations of ministers. No distinct combinations were proved: no one, two, or three men were found connected to manage the proceedings of the rioters: they were on the contrary, all disunited, and disjoined, without even any apparent and settled purpose. That the distress existed was certain, and the cause of it was equally obvious, as well as that the origin of the disturbances was that distress. But was there the shadow of evidence to shew that there were any such dreadful and terrific combinations as the noble lord had conjured up? It was true that designing men had taken advantage of this disorganization to promote their private and unworthy views, but not to produce general dissatisfaction against the constituted authorities, or to overturn the government. It was ridiculous to imagine that it could be so. Where did the disturbances begin? In Nottingham. What was the origin? Disputes between the workmen and their masters. What was the state of Nottingham now? That of profound quiet. Such, he trusted, if the laws were vigorously executed, would soon be the state of all the districts at present disturbed. A machine at some one place, perhaps, had been broken, and then they began at another; and, misled by self-interested individuals, the contagion soon spread, and great atrocities had been committed in various parts of the kingdom. Most of those who had been the principal actors, had however been brought to justice, for they had been convicted, and had expiated by their lives their offences against the law. The noble lord had complimented the magistracy all over the kingdom; nothing would have given him greater pleasure than to have subscribed to that opinion, but he must assert, without meaning to make any individual allusions, that in some particular districts, the magistrates had not done their duty.

With respect to the Watch and Ward Act, which the noble lord had chosen to introduce into his speech, but for what purpose he (Mr. W.) could not penetrate, the fact was, that in the committee there was not the smallest evidence brought to shew that it had ever been carried into execution; but there was sufficient evidence to shew that the inhabitants could not be brought to execute it; that the ill-affected impressed the well-affected with such a terror, that nobody would venture to expose himself by his activity. Why, he would ask, had no attempt been made to execute the existing laws? He denied that any such attempt had ever been made. He, for one, therefore, could not give his consent to the introduction of this new proposition, except the latter part of it relative to the concurrent jurisdiction of the magistrates in adjoining counties. The noble lord had alluded to extensive seizures of arms accumulated in one place—but he denied that there was any evidence of this. Could the noble lord point out where 50 stand of arms had ever been seized at any one time. It was true that, at Stockport, there were 200 stand of arms taken; but how many were taken by the troops from the rioters at any one time, was not known. It had been said by one person, that there was a depot of arms in a wood; but of this the evidence was not satisfactory. If so, however, that was the very place where he should wish the arms to remain, as it shewed so evidently the want of skill and combination of those who could ever think of depositing arms in such a place. One of the witnesses had imputed all the mischief to jacobinical emissaries, who had been at work every where throughout the country; but the evidence of this person was of such a violent and contradictory nature, as to shew that no reliance whatever was to be placed on it. Another act of outrage which had been laid great stress on, was the burning of West Houghton mill, which was said to have been the work of a most alarming combination. But a number of the persons who were concerned in that affair were tried at Lancaster, and paid the forfeit of their lives; and what more could be wanted than that? What necessity did that exhibit for new laws?

A great deal had been said of the meeting on Dean Moor, on the night of the 19th of April, immediately previous to the burning of the mill; but of the 40 persons who were present on the moor, it appeared from the evidence of the colonel and adjutant of the Bolton Local Militia, that 10 were local militiamen, disguised with blackened faces, who described themselves as having passed two by two, before the general of the assembly, whose name was Hurst, and who, except the 10 militia-men, was the only person in disguise there. He could not but testify his dislike of this system of espionage. It appeared that one of these militia-men, in the effervescence of his zeal, endeavoured to instigate another person to burn the work-house, who immediately said, "If we burn the work-house, we shall burn a number of poor people who are in it." "O, the devil care for that," replied the militia-man, "let us only do all the mischief we possibly can." It appeared, therefore, that these misguided people had been frequently induced by such means to go greater lengths than they would otherwise have thought of. Here were men employed as spies, abetting and inciting the multitude to daring and desperate acts of violence; and on account of these acts, the House was applied to for the purpose of arming the government with new laws, and investing them with extraordinary powers hitherto unknown to the constitution. He must object strongly to the proposed measure of searching for arms. The noble lord had had some experience in that way in Ireland, and we ought not to throw away all our experience with respect to Ireland. Though the noble lord applied for those extraordinary powers, with all that mildness, placidity, and softness, which he knew so well how to assume; the House would, he hoped, recollect that the noble lord had been intimately concerned in measures of a similar nature in Ireland: they should also consider, that there were other persons forming the government, who were concerned in those transactions. They would not forget that lord Camden was a member of the present administration; and that during his rule in Ireland, such dreadful scenes were exhibited, that the bare recollection of them agonized and revolted the minds of Englishmen. Was it not so? Could all this be so soon forgotten? Why were arms to be searched for? This was the very way to produce dissatisfaction in a country; as it would not only enable government to search for arms, but to disarm the whole country. The people whose arms were demanded might very well say, "We will not give up our arms, for if we did, the rioters would mark us out as having done so, and we should be unable to defend ourselves."—There were many instances in which persons, by having arms, had courageously and effectually defended themselves and their property, and saved both from ruin and devastation; and yet, by the proposed system, you would deprive those of arms who would use them in their own defence, and in support of the laws. The defence of Mr. Cartwright, at Lawton Mill, was of that nature, and there were other cases of a similar nature. It was too much for persons who had arms but would not use them, to call on the House to take them from those who were willing to use them. This was one of the most objectionable measures that could be resorted to. In Ireland it certainly had not produced all the advantageous effects which had been expected from it; and its execution there was attended with horrors from which the mind recoiled. Did the noble lord mean to say that houses might be entered by night as well as by day? When people were found to be so heated with terrors and apprehensions, as in the present case, calling out for short processes; and when in one place it was said the danger was not alarming, and in another they were demanding all the most rigorous measures of a despotic government, it was impossible to say what consequences such a power might not produce.

On these grounds he certainly should not vote for the Bill of the noble lord; although had the noble lord asked merely for a concurrent jurisdiction to the magistrates of different counties, he should have at once supported the proposition. He denied that there was any evidence of any funds whatever, being at the command of those people. It was ridiculous to suppose such a thing. It appeared on the contrary, that they were absolutely destitute of money, and had the utmost difficulty in contributing their miserable twopences, and in some places ten-pences. For want of money the whole system at Manchester fell to the ground. One man, who turned informer, said he had been promised 30*s.* and had not received more than 14*s.* 10*d.* Another person who applied for 20*s.* was long refused it, till the treasurer, having received the strongest assurances of being reimbursed, at last gave 19*s.* keeping one shilling to himself. These were all the funds which they had to foster discontent.

The revocation of the Orders in Council gave the greatest reason to suppose, that the evil would subside of itself. There was another reason to which the disturbances might be in a great measure attributed, namely, the high price of provisions. When there was a great population, not absolutely starving, but greatly straitened for food, it was impossible to expect they would be in the same contented state as in better times. All the persons who had been called to give evidence concurred in stating, that their hopes of the restoration of order depended mainly on a good harvest.

There was but one remedy for all these evils, which must unavoidably be borne, so long as peace could not be obtained. But peace ought by all means to be obtained if possible; for the country was going progressively into a state of things from which every thing was to be feared. The right honourable gentleman over against him must be aware of the truth of what he was stating, as he had predicted, that if peace was not made in time, we should be compelled to make it whether we would or not. Peace was the only remedy for our internal grievances, and the only remedy for our external grievances also. And, in his opinion, a more favourable occasion for a general peace never existed than we had at this time. It had been said, that the disturbances were occasioned by the instigation of our enemy, and that a correspondence had been carried on between the rioters and the prisoners of war. The noble lord knew very well there was no ground for this supposition. The number of prisoners in this country at present was certainly a very great evil: and even if peace could not be obtained, that evil might perhaps be remedied by an exchange of prisoners. But on this subject he would not take up the time of the House; as there would be other opportunities of expressing his sentiments; and he would therefore conclude with stating, that he was exceedingly glad he had watched the evidence given in the committee. The Report of the noble lord, though not expressed in the same language as a publication which he had seen, which certainly drew the most extravagant and unwarranted conclusions from the evidence, had an unquestionable tendency to excite the same unfounded alarms.

Mr. *Wilberforce*, alluding to the observations of the honourable gentleman who preceeded him, on the subject of peace, said, that if he could believe this was the best time to obtain a peace, he should most anxiously wish for that blessing. By suffering evils like the present to exist, however, without any adequate restraint, we should place the country in such a situation, that we should be unable to treat for peace on a proper and honourable footing, and to obtain such terms as would be consistent either with our security or with our honour. It was impossible for him, connected as he was with that part of the country which was the scene of disturbance, to contemplate the necessity for the provisions now proposed to be introduced, without feelings of a most painful nature. It was with great pain that he must consent to deviate from the common course of law in those districts. It appeared to him, however, that his Majesty's ministers had set about this business in the proper spirit, and that they had no disposition to out-run the necessity of the case. In his opinion the measures proposed did not exceed the necessity of the case. In spite of all the unpopularity which might attach to such a declaration, he would go the length even of saying, that if government had asked for larger powers, not for the purpose of carrying them at once into execution, but for the sake of, as it were, feeling their way cautiously according to the actual situation of the country, he, for one, would have had no hesitation in consenting to bestow such powers on them. His honourable friend (Mr. Whitbread) had observed, that the powers already conferred on the magistrates had not been executed. It was easy for members sitting at their ease in that House, to talk of the way in which laws might be carried into execution.

"He jests at scars who never felt a wound."

In his opinion it ought not to be rashly concluded, that the magistrates were deficient in spirit, because they found the laws inadequate to the preservation of tranquillity. The magistrates said, they could obtain no information on oath against any individuals, and therefore could not execute the laws as they stood. The terrible measures which were resorted to, of assassination and burning of houses, indisposed every person to come forward to give evidence. His honourable friend had referred to the Irish rebellion, and said, that the mind of the noble lord was so full of the Irish rebellion, that he felt greater alarm than the circumstances warranted; and was perhaps, ready to run the same career here as was done in Ireland, in the measures taken to put down the rebellion there. He had been, however, informed by persons who had been in Ireland in those calamitous times, that there was an astonishing similarity between the measures pursued by the deluded persons in the disturbed districts, and the events which had taken place previous to the rebellion in that country. So far however from wishing the same measures to be resorted to, to put down the spirit of insurrection here, it was because he wished that there should never be a necessity for such measures, that he would rather that powers larger should be given at present. It was hard, indeed, to foresee what measures were likely to be resorted to when a country was reduced to a general scene of confusion and civil war,—when family was armed against family, and village against village; and when fear, the most cruel of all passions, generally operated on the minds of all, and prompted them to deeds of cruelty and bloodshed. He could not believe that the bulk of the magistracy of the country would ask or wish for larger powers, if they were not absolutely and indispensably necessary. The proposed measures did not originate in the fear of these womanish magistrates, as they had been represented; they were asked for by persons of the coolest heads, and the bravest hearts, but his Majesty's ministers were unwilling to resort to them till they appeared to be indispensable.

With regard to the source of the disorders, it was a subject of great delicacy, but he could not avoid saying something upon it. He could not agree with his hon. friend, the member for Bedford, that they proceeded from an interruption to commerce, or a scarcity of provisions.—He must state that the disease was, in his opinion, of a political nature. He would not quarrel with his hon. friend for the contrary opinion which he entertained; and his hon. friend would allow, that he concurred with him in wishing for a more thorough investigation into all the particulars of this subject. Alas! alas! He wished he could believe the disorders were owing to any such accidental and temporary causes. It was undoubtedly true, that the state of the country, from the high price of provisions and the want of employment, was such as to increase the discontents. Under such circumstances popular discontents would always thrive; they always grew up and flourished in a rank soil; but this disease arose from causes of a more deep and general nature.

It arose from the pains taken, in certain mischievous publications industriously circulated, to alienate the affections of the people from the laws and government of the country, and to stir them up to measures injurious to the community, and miserable to themselves. But he would not enlarge on this subject: it was too gloomy to dwell on. Temporary discontents had been known formerly to take place from a disagreement about wages; but the House ought not to be deceived in the present case, and think it as insignificant. Was it not known that letters were sent to individuals, threatening assassination, and burning houses, and that these threats were but too often carried into execution? Was he to be told that all this was trifling? No! No! It must be a great and serious cause indeed, which could shew itself in such alarming effects; when grave, decent, and orderly persons could be so far misled, as under the forms and ceremonies of religion, to bring themselves to contemplate the commission of the most horrible and atrocious crimes without remorse. It shewed a diseased state of mind, which viewed every thing through a false medium, and which seemed to subvert all the ordinary moral feelings of our nature. No! they were certainly not going too far in entrusting the government with such powers. As to the searching for arms, he did not expect much effect from it. It was unnecessary for him to trouble the House longer on this subject, as it was generally agreed that it was the best and most humane way to intercept those evils in the beginning. The hon. gentleman had said, "Why did you not take up those people and hang them?" Now he, for his part, did not wish to hang them; but merely that they should be tried for misdemeanours, and that the administrators of the laws should be empowered to try them in this way. The greatest good he anticipated, was from the power given the magistrates of suddenly seizing persons assembled together, and subjecting them to a mild punishment, which might prevent the necessity of ever having recourse to a more severe one. There was nothing, in his opinion, in the measures, which could give the smallest reason to conclude, that parliament were actuated in any wise at present by passion; and they should therefore receive his support.

Mr. *Whitbread* explained. He disclaimed having thrown any imputation on the magistrates. The hon. member for Yorkshire had said, it was easy for persons sitting at their ease in that House, to blame the conduct of others. That was not his affair. He hoped he should behave himself properly whenever he was placed in a situation where it was necessary; but at present his own conduct had nothing to do with the question; he had merely to contemplate the conduct of others.

Sir *F. Burdett* could not avoid expressing the jealousy he always felt at any alteration of the old laws of the country. He thought that they had always, in the long run, been found the best for protecting the liberties and the peace of the country. The hon. gentleman who spoke last, appeared to him to be content to go to any length (even to the torture as practised in Ireland), if necessity should appear to require it. (Mr. Wilberforce signified dissent.) The hon. gentleman had certainly said, that he hoped the proposed measures would preclude the necessity of going to such lengths; and as he wished that something more than the present measures had been proposed, he did infer from this, that the hon. member for Yorkshire had been disposed to go the whole length of extorting confession by torture as in Ireland, if it should appear necessary. It appeared to him, that if government provoked the people to these disturbances, and turned a deaf ear to all their complaints for a long time, that they had not a right to recur to extraordinary measures of severity. He trusted that the noble lord would not wish to run the same career here as had been run in Ireland. He had with pleasure heard him disown having been a member of the Irish government at that time, and there was a gentleman (Mr. Finnerty) now in prison, for asserting that he was connected with that system of torture. If he understood those measures to be changing from a system of capital punishment to the punishment of misdemeanour only, then he should certainly approve of them, and be ready to adopt whatever might be necessary to carry them into effect. If, however, as he could not avoid fearing, by those enlarged powers magistrates would be able to construe a harmless meeting of a few individuals into an unlawful assembly, he could not forbear from expressing his disapprobation of powers which might be so misapplied. As to the power of taking arms from any man they thought proper, he knew no right to which a man was more entitled, by nature and by law, than to have arms to defend himself, his house, and family. The taking those from him might be in effect taking from him every thing that was dear to him in the world. The exercise of this power would naturally lead to eternal vexations. He could not believe the statement, that those disturbances were increasing, as every information he had been able to receive was directly the reverse. No act which could be passed would be able entirely to prevent disturbances which a few individuals might be disposed to commit. He was informed by a gentleman of great credibility, who came from the neighbourhood of Houghton Mills, that the account of that case had been very much exaggerated. This gentleman he had recommended to go before the committee; but they refused to receive any evidence but what coincided with their own views. Of the forty persons who met on the moor, ten of whom were spies, twelve were afterwards convicted, a pretty considerable proportion. As to the executions at Lancaster, there were many at the recital of which he was shocked. Women executed for stealing potatoes; and children, as he might call those of sixteen years old. Executions of this nature appeared to him much more likely to produce disgust than any beneficial example. Indeed, if those cases had been laid before the Prince Regent, he had little doubt but that his humanity would have prompted him to extend his mercy to them, as he had done to many who had been convicted at Chester, where but two persons were executed. The hon. member for Yorkshire attributed those disturbances, not to the want of employment, or high price of provisions, but merely to political causes; and yet, when they recollected the evidence given before the Committee on the Orders in Council, stated the utmost degree of human misery to prevail among the poor manufacturers, there was no need to look to other causes to account for the disturbances. If the fact were examined, it would be seen that the first rage of those concerned in those disturbances, was against the machinery, which ignorant people considered as the great cause of their want of employment. If the disturbances were merely occasioned by seditious publications, what was to be the remedy? Would the hon. gentleman wish to stop the press, and put an end to all discussion upon those subjects on which the people were now discontented? If he did not go so far, why then he would not be going to what he himself considered the root of the evil. He really thought all the evidence before the committee was not only insufficient to ground new measures upon, but that it was hardly sufficient to render a debate necessary. A committee of secrecy had reported to them nothing more than what every body knew before; and what was to be found in all the newspapers. An hon. gentleman had conceived peace was the only cure for those disorders. Although he was fully sensible of the advantage of peace, it was not, however, certain, that that advantage was in our power. There was another measure, however, which certainly was in our power, and which, in his opinion, would be more efficacious, although it was one in the expediency of which, not many in that House would perhaps concur with him, he meant the great measure of reform. He should say nothing more on that subject at present, as he would probably have an opportunity before the end of the present session, of calling their attention regularly to it. He should reserve himself to speak more fully on the subject when the Bill should be before the House; but at present he must express his dissent to the measures proposed, both because he was convinced that the disturbances were not increasing as had been asserted, and because he was equally convinced, that the laws as they now stood, were perfectly adequate to the necessity.

Mr. *Wilberforce* in explanation, denied that any thing had ever fallen from him, from which it could be fairly inferred that he would support a system of torture such as had unfortunately taken place in Ireland. He certainly did not conceive that any necessity would justify such a system, and he had before expressed his disappro bation of it.

Sir *F. Burdett* begged pardon for h ving
misunderstood the hon. gentlema of the

Mr. *Canning* having been eard from
committee, and having no asures pro-
one hon. member, that th e could agree
posed were stronger th they did not ap-
to, and from another, ugh, felt himself
pear to him stron, in his opinion, the
bound to declare ere well calculated to
measures propo case. If he had any
meet the pr subject, he felt more in-
doubt upo opinion of his hon. friend
clined t orce) than to that of the hon.
(Mr. W

gentleman opposite (Mr. Whitbread.) He said this from circumstances which had come within his knowledge extraneous to the Report itself, and not therefore exactly in evidence. He thought, however, that the Report proceeded on such principles, and that such facts had been clearly stated, as left his Majesty's ministers no option but to call upon parliament to adopt such measures as would be likely to be sufficient to meet the evil. He had himself been one of those members of the committee who had called for the introduction of evidence, which the committee resolved not to receive. In calling for this evidence, it was by no means with a view to fortify his opinion upon the propriety of the measures now proposed; but if it had turned out on the examination of witnesses that the disturbances had had their origin in political causes, and not in the distresses of the times, then he should have thought with his hon. friend that stronger and more decisive measures ought to have been resorted to. The existence of great and enormous outrages by which the peace of whole districts had been disturbed, and the lives of their inhabitants endangered, was substantiated, but there had been no proof before the committee, of the causes to which they were to be attributed. He thought that the Report rather understated than overstated the facts which were in evidence. Indeed, he thought it was right that it should do so; and that, if there were any error in it, the error should be on the side of leniency. He approved of the measures which had been proposed, especially when coupled with the declaration, that if they should not be found to be sufficient, there would be no impediment thrown in the way of re-assembling parliament, to consider what farther measures should be resorted to. Something had been said about a wish on the part of the magistrates to be vested with great and extraordinary powers. Now he thought that it must be an extraordinary ambition indeed to long for being invested with powers, the exercise of which could hardly be gratifying to any human being. As to the imputation of negligence on the part of the magistracy, he must say, that we ought never to forget how much we were indebted to the respectable and gratuitous magistracy of this country, which afforded a greater protection to the liberty of the subject than was afforded by the magistracy of any other country. The hon. baronet had said, that if the root of all those evils lay in the press and free discussion, there could be no remedy but stopping the press and free discussion altogether. Now he had imagined that there was no principle upon which people were more perfectly agreed, than that it was often necessary to compromise, among evils, in order to produce the greatest good. The liberty of the press and of free discussion, should certainly be fostered and encouraged by every wise government, as the sources from which the greatest benefits to mankind flowed. But, at the same time, if they were pushed to an extreme by bad men, from wicked motives, the law had power to correct the evils which might be derived from this perversion of a principle from which the greatest good ought to be expected. As to the sympathy which might be felt by some, for the individuals who suffered for their conduct in the recent disturbances—if the attention were exclusively directed to the individual at the moment he was expiating his crime, and not at the time of his committing it, hard indeed must be the materials of his heart who would not allow the contemplation of such a wretch's sufferings to efface for a moment the recollection of his guilt; but the measures proposed were not for the purpose of punishing, but for the purpose of saving. It was to save the great mass of the community from the evils produced by those disturbances: it was to save even the great mass of the poor deluded people themselves, that those measures were proposed. He thought perhaps that it was an overstatement to speak of the rioters as a force regularly armed and disciplined. The evidence only proved, that arms had been stolen, and that men were seen drilling at nights. Now, although it was not proved, that the men so drilled were armed with the arms so stolen, yet there could be very little doubt, that in time those arms would come into their hands. It could hardly be supposed, that two such operations should be going on in precisely the same part of the country, and yet that it was never intended the arms, and the rioters should meet together. Upon the whole, he was prepared to approve of the measures which were proposed, and he expressed his hope that they would be found sufficient for the purpose.

Mr. *Lamb* contended that on the face of the information, there was sufficient evidence of the existence of a system of outrage under which no person or property was safe, and which, at least called for the grave consideration of parliament. With respect to the provisions of the Bill now proposed, it might be a matter of deliberation, whether the odium which the power of searching for arms must occasion, would be counterbalanced by any advantage that the possession of such a power would give to the magistrates. This and the other provisions of the Bill would be fit subjects for future discussion; but that some extension of authority was indispensable, he thought no one would deny.

Lord *Castlereagh* wished to say a few words in reply to a few of the observations which had fallen from some hon. gentlemen in the course of the debate. And in the first place he would observe, on the regret expressed by his hon. friend, the member for Yorkshire, that more extensive evidence had not been entered into in the committee. The fact was, that the evidence of the persons whom it had been proposed to examine, was as completely before the committee, as if those persons had been actually examined. Undoubtedly, had government thought that the result of any parole evidence would have been to shew parliament the necessity of granting a larger and more operative authority than that proposed by the Bill for which he had had the honour to move, it would have been their duty to call for the assistance of such evidence: but this was not the case. He had endeavoured to shew the committee that by no evidence could it be established, that the existing mischiefs were as great and comprehensive as those which existed a few years ago; and therefore, that it would be wise to treat the present case in a more indulgent manner than that to which he had just alluded. He confessed he never had listened to any speech in parliament, so unsuccessful in the endeavour, by trite and misplaced argument and illustration, to give to the proceedings, in which the necessity of the proposed measure originated, a character of insignificance, as that which had been uttered by the hon. gentleman opposite. His hon. friend, the member for Yorkshire, had sufficiently answered that part of the hon. gentleman's speech. But if the hon. gentleman had been unsuccessful in attempting to shew that the circumstances were not worthy the attention of parliament, he was still more unsuccessful in attempting to shew that the existing power of the magistrates was competent to the reduction of the disturbances, even if they were as serious as they had been represented to be. When the House reflected on all that had occurred during the last three months, in the disturbed districts, he thought they would require something of the hon. gentleman's nerves, before they could consent to dismiss the subject as unworthy their attention, and to allow matters to proceed uninterruptedly, notwithstanding the call made upon them by the magistracy for that additional power which was found to be indispensable to the restoration of tranquillity. His hon. friend, the member for Yorkshire, in his remarks on that provision of the proposed measure which went to give the magistrates the power of searching for arms, seemed to think that this power could not be exercised with such rapidity and surprise, as to effect the object desired. He admitted that to take arms by surprise (except indeed in some cases offensively, when they were actually in the hands of the disturbers of the public peace) could scarcely be expected; yet in his painful experience in another country, he knew, that although arms had not been collected by surprise, yet that in consequence of the legislative measures adopted in Ireland, not less than one hundred thousand had been withdrawn by the military and the magistrates from the hands of the insurgents. As he was speaking of Ireland, he must be allowed to say, that although he trusted the wisdom of the legislature, the activity of the magistrates, and the good sense of the people at large, would prevent this country from being brought into the situation in which Ireland once was, yet he should very much deceive the House, and very ungenerously compromise the character of those who had the superintendance of public affairs in Ireland at the period to which he had alluded, if he did not distinctly declare, that were this country to be involved in similar dangers, it would be impossible for the government and the magistrates to conduct themselves in a manner more creditable to their humanity, than the government and magistrates of Ireland had done. It was extremely easy for the hon. gentleman opposite, who knew nothing, by personal observation, of the difficulties and dangers attendant on the task of suppressing disturbances in a country, to hold such perils cheap; but those who had protected Ireland when she was threatened with civil destruction, better knew how to estimate them. The hon. gentleman's observations on lord Camden had been most ungenerous and most unjustifiable. The hon. gentleman might not approve of the measures of lord Camden's government; those measures were fairly open to his animadversion. But every one who knew any thing of the kind and benevolent heart of that nobleman must know that he would revolt from all unnecessary exercise of severity. An hon. baronet also had chosen to throw out an imputation upon the government of Ireland under lord Camden's viceroyalty, which, if true, ought to bring upon that government the detestation of all good men, and that was, that they had countenanced the practice of inflicting torture for the extraction of evidence. He could assure the House, that there had been no instance of torture ever known or authorised by the Irish government. It was true that during the disturbances in Ireland, when all other laws had ceased to exist, there was no resource for the security of the lives and property of the peaceable and loyal inhabitants, but the substitution of martial law. The necessity of martial law on that occasion had been sanctioned not only by the legislature of Ireland, but subsequently by that of the United Kingdom. The Bill by which martial law was proclaimed, certainly gave to the military a discretionary power of punishment. If, therefore, the hon. baronet meant by torture, the infliction (in the administration of martial law) of corporal punishment on any individual, or in other words the infliction of the same punishment that existed in the local militia, and in the army at large, he might be justified in the assertion. Certainly, during the continuance of martial law, the general officers in Ireland inflicted on the rebels the same punishment for their offences as they would have inflicted on their own soldiers. But as to extorting evidence by torture, no such act had taken place under the sanction of government. He did not say that no such act had occurred. In the midst of a rebellion, during which the whole system of society was deranged, he believed that such acts had occurred; but he solemnly denied that they had occurred under the sanction or with the knowledge of government. The hon. baronet had adverted to a recent trial for libel, in which he (lord C.) had been charged with the legal murder of one Orr, in 1797, who having been tried, and found guilty of the offence for which he was tried, had been executed by the order of the lord lieutenant, under the advice of the judge who tried him. On this ground he had been charged with being a legal murderer. That the occurrence alluded to did actually happen, was the fact; but it was also a fact, that it happened seven months before he was in office. This was certainly a pretty good *alibi*. But let it not be supposed that he was not perfectly prepared to share all the responsibility of lord Camden's government, and to consider it a personal honour that he had served under that nobleman in that government. He had merely stated the circumstances which he had just narrated. to shew the facility with which such stories were invented and narrated. The person tried for the libel to which he had alluded, went, previously to his receiving judgment, to Ireland, for the express purpose of obtaining affidavits of the cruelty of the Irish government, and particularly of his (lord C.'s) individual cruelty. On his appearance in court, the reading of those affidavits was objected to by the judges. Two of them, however, had been previously read. The one related to a man who, it was alleged, had been sent to Botany Bay by an arbitrary act of his. Now it happened that he had two letters, the one from lord Bantry, the other from a captain of a fencible regiment both of whom sat on a court martial in the southern district, in which this man was sentenced, under the laws of that country at that time, to transportation; a sentence which he (lord C.) in the due discharge of what he conceived to be his duty, had ordered to be carried into effect. The other affidavit charged him with having been present at the corporal punishment of a man, and with having, on that occasion, uttered expressions, of which he trusted that those who knew him would believe him to be incapable. The fact was, that not only he had not witnessed that punishment, but that he had never in his life, by any accident, witnessed such a punishment. So much for the accuracy of these affidavits. Such accusations proceeded from those who, when they failed in their plans of wickedness, resorted to the practice of villifying the individuals to whose exertions that failure was attributable. He certainly never expected to make his peace with that class of persons. Their hostility was the best testimony that he had performed his duty conscientiously, and he hoped he might say, firmly; and although he never expected to experience their approbation, nor indeed wished to do so, knowing that it would be given only if he did not deserve it, he trusted that he had lived long enough to convince those who knew him best, that there were no feelings of cruelty in his disposition; but that in the conduct which he had pursued amidst the difficult circumstances in which the disturbances in Ireland had placed the government of that country, he had been influenced solely by a wish to protect the unoffending, and to restore general tranquillity.

Colonel *Shipley* stated, that it had come within his knowledge, that the sheriff of Tipperary had in the market place of a considerable town, picked out an obnoxious individual, and without trying him by any court-martial, had employed a drummer of the regiment to which he (the hon. member) belonged, to punish that individual more severely than he had ever known any man punished who had even been tried by a court martial. This happened before the rebellion. During the rebellion he saw, not now and then, but every day, men tied up and flogged, in order to make them confess. He did not say that this was done by order of government; all that he was aware of was the simple fact. In many of these cases the persons punished confessed; in others they did not. He remembered one instance, in which a man who had been first threatened was afterwards hanged, and his comrade threatened, flogged, and induced to confess.

Lord *Castlereagh*, in explanation, observed, that what he had said was, that he did believe such acts as those described by the hon. gentleman had occurred, but that he denied that they had occurred under the sanction and authority, or with the knowledge of the Irish government. As to the high sheriff of the county of Tipperary, two actions had been brought against him for his conduct, on both of which he had been convicted: and notwithstanding a subsequent act of indemnity, had suffered the imposition of very heavy fines.

Col. *Shipley* said, atrocities similar to those which he had described as having taken place in Tipperary, had, in his knowledge, occurred in Clonmell long before the rebellion.

Lord *Castlereagh* repeated his positive denial that such acts had received the sanction of the Irish government.

Mr. *Tighe* said, that never were more cruel oppressions committed in any country than had been committed in Ireland. He was not against giving magistrates additional powers to assist them in doing their duty; but he denied the accuracy of several of the statements of the noble lord respecting Ireland. He was just entering the doors of the house when he heard the noble lord say, that government had obtained possession of 100,000 arms in Ireland, from which an Englishman might suppose a hundred thousand stand of arms was meant. It was no such thing, however. Those arms were all pikes, and they were merely pikes of parade and shew, and made on purpose to surrender to the emissaries of government, when they came in search of them. As a proof, he would state that not 24 hours after those 100,000 arms were lodged in Dublin Castle, the rebellion broke out in Kildare, and every rebel had a pike in his hands: so that seizing the arms did not answer the purpose, though it gave people power to break open houses at all hours and perpetrate atrocities. The arms taken were mostly from loyal subjects. He acquitted the noble lord personally from the charge of torture; but he must have heard of it. Some smiths in Dublin were flogged in the castle-yard, by the hands of noble lords of the Irish House of Peers. He had himself seen a man picketted in a town in the county of Kilkenny till he fainted, and then left with a priest to extort confession; after two days he was picketted again, to make him confess the man's name who had administered the oath to him.

Lord *Castlereagh* said the man was prosecuted in that case.

Mr. *Tighe* observed, that this was but one case of many.

Lord *Castlereagh* explained the nature of the Irish indemnity.

Mr. *Hutchinson* regretted that the noble lord whose caution in debate was usually such as to prevent him from laying himself open to contradiction, had on that occasion, uttered things which would almost call upon those to speak in that House who never spoke before, and who, he was sorry to add, must reply to him by an unqualified contradiction of what he had asserted. He had listened with considerable distrust and apprehension to the first notice which was given respecting the introduction of new measures, the object of which might indeed be defended, but the consequences of which he feared might be of a very ambiguous nature. When, however, he heard the noble lord talk of the possible necessity of assembling parliament for the purpose of adopting yet stronger measures, and in addition to this, heard him deny the existence of torture in Ireland, during the unfortunate period of the rebellion, his alarm was not a little increased. To the fact of the practice of torture having prevailed, particularly in and near Dublin, at that time, he could pledge himself. It had been aserted that they were not authorised or approved by the government; he could however state from his own personal knowledge, that in 1798 atrocities the most cruel had been perpetrated in the very seat of the Irish government, under its eye, and within its hearing. He had seen the victims of these outrages paraded through the city, and exposed, for the purpose of adding indignity to torture, to the gaze of the metropolis. He wished, therefore, that those members who were ignorant of what had taken place in Ireland, should be on their guard before they committed the liberties of this country to the discretion or the mercies of that noble lord. He had himself, at a time when he was in a yeomanry corps, on one occasion seen a person high in rank bring drummers and triangles into the four courts hall to torture men to give evidence. He complained to his captain, who turned out that gentleman of high rank with his drummers. A servant of the lord mayor was punished several times in the guard-house, and shewn for days weltering in his blood. Dead bodies covered with blood, and lying on straw, used to be exhibited in the lower castle yard, Dublin. A French teacher at Clomwell, was flogged by order of Mr. Judkin Fitzgerald, the sheriff of the county, merely because he had two letters in his pocket which were written in French. It was melancholy to recall such recollections, and he wished they could be buried in oblivion. When that rebellion broke out, although no man had been more hostile to the government than himself, he cheerfully lent his support and exposed his person in its defence. It was his belief that lord Camden had disapproved of the proceedings of that day. He deemed it necessary to make these observations after what had been indirectly introduced into the debate. Upon the subject immediately before the House, enough had certainly been proved to demand the attention of parliament, not however to enact new laws, but to give full operation to those in existence. He viewed with jealousy any power of entering private houses; and the indecorous licence, so far as it regarded the female members of families, that was too often exercised in Ireland, strengthened his objections to any authority of this kind. After all, every evil under which the country was now labouring, might be traced to that fatal system of policy which had been maintained for the last twenty years. To alter that system, and recur to radically sound principles of government, was, in his estimation, the best means of allaying the discontents, by removing or alleviating the distresses of the people.

Lord *Castlereagh* once more said, that he had never denied that torture had taken place, but that all he had asserted was, that it did not take place under the sanction of the Irish government. At the time to which the hon. gentleman alluded, the rebels were at Rathfarnham, a few miles from Dublin, which was in a state of complete confusion; and the Irish government was as little answerable for the disorders which then took place, as the government of this country was for the riots of 1780.

Mr. *W. Smith* did not think that the Irish government was sufficiently justified by the declaration, that the enormities alluded to did not take place under their sanction. If he thought it possible that the present measure should be followed up by martial law, and martial law by such scenes as those which had been exhibited in Ireland, he vowed to God that he did not know any state of things which would induce him to concur in the first step of such a course of horror.

Mr. *Croker* remarked, that an hon. gentleman opposite had adduced a number of facts to prove the cruelties which existed in Ireland during the late rebellion. Of one of those facts he happened to have personal knowledge, and the manner in which the hon. gentleman had described it, induced him to suspect that the other facts stated by the hon. gentleman might be as incorrectly detailed. The hon. gentleman had said, that the dead bodies of two men who had been tortured were exhibited in the lower castle yard weltering in blood. It chanced that he (Mr. C.) was on duty as a private volunteer at that place, and at that time. It was certainly true that two dead bodies were so exhibited; but the hon. gentleman had omitted to state, that they were the bodies of two rebel leaders who had been actually killed at Rathfarnham, in action with the King's troops, and being unknown, were exhibited in order to discover who they were. If other hon. gentlemen knew as much about the hon. gentleman's other facts as he happened to know about that individual fact, the probability was, that they would appear to be equally mis-stated.

Mr. *Martin*, of Galway, admitted that many horrid atrocities had been committed in Ireland during the rebellion; but ascribed their continuance to the conduct of the parliament rather than to that of the government of the country. He had himself been able to live in tranquillity during the whole period of the rebellion, without keeping a single musket in the house; and this circumstance certainly seemed to shew that unusual severity had not been called for. He had always disapproved of the Indemnity Act, but he wished to state that its author was not lord Kilwarden, but lord Norbury. Feeling that some measure was necessary, at the present moment, to strengthen the hands of the magistracy, he should support the motion of the noble lord.

Mr. *Hutchinson*, adverting to what had fallen from the Secretary of the Admiralty, re-asserted the truth of all his former allegations, and observed, that the hon. gentleman had better take care how he ventured to contradict any of his statements.

Mr. *Ryder* warmly animadverted on the style and manner which the hon. gentleman assumed, as completely unusual in that House, unparliamentary, and inconsistent with the freedom of debate. He had held out a threat of he knew not what; but which would not have the effect of intimidating either his noble or his hon. friend, or of preventing him from asserting facts which came within his knowledge. His hon. friend had not denied the statement of the hon. member; but having been himself an eye-witness, he had added those circumstances, which gave the whole case another complexion. He (Mr. R.) did not know whether he should regret the mention of the atrocities that had taken place in Ireland; but this he did know, that the recollection of these scenes inculcated the imperious necessity of guarding the tranquillity of this country by precautionary measures, and of preventing in time the recurrence of similar atrocities, which, however, were not without example in the history of England. At the close of the rebellion in Scotland, in 1745, there were acts of atrocity perpetrated, which could not be laid at the door of the government. As to the subject immediately before the House, he was convinced that, whatever share of the disorders in the disturbed districts was ascribable to temporary distress, there still lay at the bottom of them a lurking spirit of discontent, of disaffection to the government, and of revolutionary principles, which could not be too narrowly watched. An hon. baronet, in the declamatory style which was usual with him against all the constituted authorities and the administration of justice, had censured the execution of a female for stealing potatoes. The circumstances of aggravation which attended the case were these:—A farmer was bringing his potatoes to market at Manchester, but hearing on the road that the mob had seized the provisions already there, and were selling them at their own prices, he turned about his cart and made off, but was overtaken by this woman at the head of a mob. She took possession of his cart, and by an agreement between her and the mob, the whole of the potatoes were sold at what price they pleased. This was the offence, and it was too characteristic of the disorders and turbulence which prevailed. He was fully convinced that revolutionary principles were at the bottom of these disturbances, and that the temporary distress that was felt was only the pretext.

Mr. *Hutchinson*, in explanation, re-asserted the fact which he had previously stated, and at the same time declared, that in the expressions he had used, he meant nothing disrespectful to the hon. gentleman or the House. He disregarded the impotent indignation of the ex-secretary.

Mr. *Robinson* observed, that his hon. friend (Mr. Croker) had not contradicted the hon. gentleman, but had merely stated that the hon. gentleman had left out all those circumstances which shewed that the fact had no bearing on the case of illegal atrocities.

The motion was then put, and carried without a division.

Lord *Castlereagh* then brought up his Bill, which was read a first time, and appointed for a second reading on Monday.

Mr. *Whitbread* trusted the Bill would be printed by Monday, as he should take the sense of the House upon it.

TOLERATION BILL.] Lord *Castlereagh*

obtained leave to bring in a Bill to repeal certain acts and amend other acts, relating to religious worship and assemblies, and persons teaching or preaching therein. He stated that, in consequence of certain decisions at the quarter sessions, doubts had arisen as to the question of qualifications. The object of the intended Bill was to place the Dissenters in the situation in which they practically stood previous to such decisions.

Mr. *W. Smith* expressed his satisfaction at the introduction of such a measure, though it did not go the length to which he could wish it to extend.

The Bill was then brought in, read a first time, and ordered to be read a second time on Monday.

HOUSE OF LORDS.

Monday, July 13.

INFORMATIONS EX-OFFICIO.] The Earl of *Moira* rose to request it as a personal obligation to himself—if he might so put it—of his noble friend, that he would allow the discussion of Mr. Palmer's claim to morrow, to take precedence of his motion on the subject of Ex-Officio Informations.

Lord *Holland* could not refuse to accede to the request of his noble friend, although the consequence must be, that he must postpone his motion still farther, as it was not likely he could bring it on after the disposal of the question of Mr. Palmer's claims. He could not fix any particular day at present for bringing it on, until he had consulted some noble friends of his. He could not, however, help feeling regret at being obliged thus to postpone his motion, the importance of which was becoming every day more apparent. Intelligence which reached him this very day, of certain proceedings in Ireland, impressed upon his mind still more deeply, the necessity of some regulation to check this discretionary power of the Attorney-General; which, in its abuse, was the most dangerous that could be conceived.

Earl *Grey* expressed his very serious regret, that the motion of his noble friend was to be postponed, as he could not possibly attend their lordships' House after to-morrow. Not that he thought he could be of much use to his noble friend, in the very laudable and important purpose in which he was engaged,—but it was a matter of personal regret to himself, that he could not be present so as to record, by his vote, his most perfect concurrence in the principle and object of his noble friend's motion. This discretionary power, in an officer of government, might be perverted to the most dangerous purposes. A government, weak in itself, and having no hopes of resting itself upon the favour and affection of a grateful people, would naturally endeavour to shelter itself by preventing free discussion; and for that end, this power of filing Ex-Officio Informations was a most admirable instrument. He had that day heard, that in Ireland a prosecution had been commenced by the Attorney General, where there ought to be no prosecution at all; or, if there existed any ground for prosecution it ought to have been done in a very different manner. An individual had published a pamphlet on the subject of the penal laws against the Catholics, a perfectly fair subject of discussion; and which, if there was any thing objectionable in it, ought to have been met by a contrary statement, But instead of this, a prosecution was resorted to, and in a mode which, as far as he could learn, was altogether unprecedented. The Attorney General had sent a notice to the printer of the pamphlet in question, in the nature of a summons to attend him at his own house, and there shew cause to him, the Attorney General, why a criminal information should not be filed against him. He had consulted several of his friends in regard to this proceeding, and all had declared, that such a thing was utterly unknown to them in the course of their experience. He was sorry to find, that a system of conciliation, such as, perhaps, might have been expected from the recent resolution of the House of Commons against the Catholics, was not to be adopted. He could not let slip that opportunity of making these few observations, and declaring his most perfect concurrence in the object of his noble friend, since he should not be enabled to do so when the motion should be brought forward.

APPELLANT JURISDICTION AND COURT OF CHANCERY BILL.] Lord *Redesdale* moved the consideration of the report of this Bill, and took the occasion to express his surprise that he had been previously called on to assign the grounds upon which he proposed the Bill to the House. He then stated that it was originally founded on a report of their lordships committee on the subject, made so far back as May 1811, and adverted to a variety of considerations, to shew that the great accumulation of appeals in that House, and the vast increase of the business, of late years especially, in the Court of Chancery, rendered it necessary that an assistant should be appointed to the Lord Chancellor, in the transaction of the business of his peculiar court, in order to enable him to devote an adequate portion of his time to the assisting in the hearing of, and deciding upon appeals, as Speaker of their lordship's House; an arrangement particularly recommended by the report, and of the necessity of which all their lordship's must long since have been convinced.

The *Lord Chancellor*, in an argumentative and forcible speech, expressed his full concurrence in every thing that had been advanced by his noble and learned friend, and said that he was conscious that when he was dead and gone, the subjects of the country would be of opinion that a measure of the most salutary and satisfactory nature that could be adopted would be one which tended to bring their appeals to that House, and their suits in the Court of Chancery, to a speedy decision. His lordship then adverted to some detailed considerations of the practice of the Court of Chancery, in illustration of the subject to which the Bill referred, and in order to evince the necessity of its adoption: it was not the visible occupations of the Chancellor, he observed, that were to be alone considered. He must give his days, and his nights to the consideration of his duties, and even in the retirement of his house, and the privacy of his closet, if he meant to do justice: and a conscientious attention to the cases of those capital malefactors which lay before the crown, with reference to a merciful administration of justice, not a little enhanced the anxious labours of the high judicial officer in question. The noble and learned lord added a variety of other observations, all tending to evince not only the necessity, but even the justice to the subjects of the country, of the adoption of a measure of the kind.

The Report being agreed to, the Bill was ordered to be engrossed.

HOUSE OF COMMONS.

Monday, July 13.

Mr. Palmer's Per-Centage Bill.] Colonel *Palmer* wished to observe, that a misconception had gone abroad, that the compensation Bill in favour of his father exempted him from payment of the Income Tax. He did not believe that any clause had that effect; but if it should be found that it was so, he pledged himself to bring in a Bill to alter any such enactment.

Prince Regent's Message for a Vote of Credit.] The Chancellor of the Exchequer brought up the following Message from the Prince Regent:

"George, *P. R.*

"The Prince Regent, in the name and on the behalf of his Majesty, considering that it may be of very great importance to provide for such emergencies as may arise, and relying on the experienced zeal and affection of the House of Commons, trusts that this House will enable him to take such measures as may be necessary, to disappoint or defeat any enterprizes or designs of the enemy, and as the exigency of affairs may require. G. *P. R.*"

Ordered to be taken into consideration to-morrow.

Privy Purse Bill.] The *Chancellor of the Exchequer* moved for leave to bring in a Bill enabling the Keeper of the King's Privy Purse, to dispose of and transfer all sums standing in the name of his Majesty at the Bank. The object of the Bill was to liquidate certain expences that had been incurred, and to make the Privy Purse, in as far as regarded such property, responsible to the commissioners who had the care of the King's private property.—Leave was granted.

Informations Ex-Officio in Ireland.] Mr. *Sheridan* said, he understood that an ex officio prosecution had been commenced against a Mr. Fitzgerald, a printer in Dublin, for the publication of a pamphlet containing a statement of the various acts which affect the Roman Catholics, accompanied with observations. He had read the pamphlet, and saw in it nothing libellous but the Acts themselves. The noble lord opposite had talked of employing the recess in conciliating the Catholics, but this was a singular step towards harmony and conciliation. What he wanted to know was, whether this prosecution originated here, or was merely the recommendation of some crown lawyer in Ireland. The body of the notice served on Fitzgerald was extremely curious. It was a notice given by a Mr. Kemmis, requiring him to shew cause before Mr. Saurin, the attorney general, at his house in Stephen's-green, Dublin, why a criminal information should not be filed against him. He would submit that a proceeding of this nature was quite illegal, and should now move for the production of a copy of it.

Lord *Castlereagh* declared, that it was the first time he had heard any thing on the subject; and hoped that the right hon. gentleman would not press his motion without a notice.

Mr. *Sheridan* acceded to this wish, and fixed his notice for to-morrow.

PRESERVATION OF THE PUBLIC PEACE BILL.] Lord *Castlereagh* moved the order of the day for the second reading of the Bill for the better preservation of the public peace throughout the kingdom.

Mr. *Whitbread* said, that having now had an opportunity of reading this Bill, he had not altered his opinion with regard to it, but was more disposed to object to it than before. The preamble recited, that assemblies of men were in the habit of forcibly demanding, and taking arms; but he would deny that this recital was founded on any adequate authority. There was no evidence before the House of Commons to prove that allegation, and the only evidence before the committee was documentary, derived from certain magistrates, who had received anonymous information to that effect. Those very magistrates were in such a state of consternation, that their evidence could not be depended upon. From the whole of their conduct, there was no ground to suppose that the laws in force had been vigorously executed. He would repeat, that due exertions had not been made to preserve the peace of the disturbed districts under the existing laws. In some cases the magistrates had been supine, and in others, they had acted with violence, and from a perverted judgment. There was every appearance of the cessation of disorder. From the 23rd of June, when the Secret Committee was appointed, down to Friday last, there had been no evidence of any act of disturbance at all. The preamble besides asserted, what was not proved in the committee, that there were assemblages of men by night and by day, for the purpose of learning the use of arms. There was no one tittle of evidence to that effect. The noble lord had stated the other night, in respect to this part of the Bill, that 700 persons were assembled, he believed, near Ashton-under-Line. He (Mr. W.) had heard from another quarter, 300; but supposing the former number had assembled, that did not make out the allegation that they met by night and by day, for they assembled, according to the noble lord, at church time. The whole of the enactments were objectionable; and that in particular which gave authority to the magistrates to act out of their own precincts. As to the persons who had blackened their faces, and disfigured themselves for the purpose of concealment, and had attended the meeting on Deanmoor, near Manchester, it turned out that ten of them were spies sent out by the magistrates; and the only other man present, who was similarly disguised and with fire-arms, was one Hurst, who was now under sentence of transportation. These spies were the very ringleaders of the mischief, and incited the people to acts which they would not otherwise have thought of. Such a practice should not go on; and he would never consent to entrust new powers to magistrates who had thus grossly misconducted themselves. The hon. member for Yorkshire had ascribed the evil to certain inflammatory and seditious publications; but he, and other gentlemen who thought with him, had in the same breath, declared, that work, and a lower price of provisions, were likely to render the people tranquil. The hon. gentleman's mind seemed in a state of alarm and consternation; and, of course, his ideas were not likely to be clear.

He denied that the origin was any other than the Orders in Council: the cause of the evil was now removed by the revocation of those Orders—the men found employment, and were tranquil. It had been stated, too, that these outrages were directed by men of high condition, nay, he had the affidavit of a man tried at Lancaster, to shew that a person had come to him in the prison, with a view to extort from the criminal, a confession that he (Mr. Whitbread) was the very individual who instigated the riots? What was the fact? Why that some of the inhabitants of Bolton being unemployed, wrote to him, asking his advice, whether they should petition parliament; and, in answer, he wrote them word that he thought they had better state the cause of their grievances. This letter was made the ground of presumption, that he was at the head of the rioters! So besotted was the imagination of some of the alarmists, that an idle rumour for some time obtained credit, that the duke of York was about to advocate the cause of these deluded people. Would the House believe that so ridiculous a supposition could enter the heads of any respectable set of men? These ideas of plots were ridiculous in one point of view, but base in another; because there was too much reason to belive that the absurdities had been propagated by some of the magistrates: and this made him come to the conclusion not to grant the magistracy any of the powers provided in this Bill. A magistrate who had heard that a man of respectability in his county was named in the committee as one of the instigators of the riots, though not before suspected, took occasion to promulgate his name throughout the county—this person was a Presbyterian. He could not avoid entering his protest against the Bill, when he saw the operation of the rescinding of the Orders in Council—that the potteries were fully employed, that the men were returning to their work contented and happy, and that Nottingham and other places were also tranquil. He reprobated the introduction of the Bill at all; and though he anticipated little support, he should divide the House against it. He protested against the measure the more especially when he considered how similar powers had been exercised in Ireland; not merely in times of confusion, as the noble lord had stated, but in general orders, calmly issued by generals and magistrates, and which shewed that they acted under the consternation of fear, which was the cruelest as well as the blindest of passions. The abolition of the Orders in Council had done much to restore tranquillity, but the restoration of a general peace would do more, and he recommended to his Majesty's ministers to take this opportunity of ascertaining whether peace could not be made upon honourable terms. He thought this a most favourable opportunity. Sooner, however, than make peace on any other than honourable terms, he would risk the extermination of the British empire.—He knew that if the manufacturers were convinced that the delay in making peace was not the fault of government, but of the enemy, they would sit down contented under all their sufferings. The hon. gentleman smiled at what he said; he hoped it was not the smile of disbelief. He must repeat, that it was the bounden duty of ministers to make an attempt to procure a general peace for the world. He never knew a time more propitious than the present. He would not ask of the noble lord the nature of the communication made about three weeks since from France, but he had heard that the French government offered terms for peace. That shewed the disposition of the enemy, and the necessity of the repose of Europe justified the experiment. He trusted it would be tried.

Mr. *A. Smith* felt that this subject was particularly interesting to him, connected as he was with that part of the country to which it related. He had expected that the Report would be accompanied with some evidence to enable the House to judge of the measure. From his own knowledge he could say, that with respect to the West Riding of Yorkshire, the cause of alarm was rather understated than overstated in the committee. The Report, with prudent reserve, did not speak of the causes of the mischief, but amongst the causes, he believed no one would deny that the distresses felt by the manufacturing classes were a principal one. He was glad that there appeared no satisfactory ground for the rumours, that persons of high rank were implicated in these insurrectionary combinations, and that large funds existed for their maintenance: at the same time it seemed evident, that a powerful conspiracy did exist; obscure, indeed, but not the less dangerous for its obscurity. Men whose natural situations were at the very bottom of society, and who could only hope to ascend to the summit by commotion and rebellion, were to be considered most active in the continuation of the present unhappy disturbances. To such men a golden opportunity had been afforded. The Report abstained from giving any cause or remedy for the evil; it became, therefore, the more bounden duty of the House to consider these objects. The causes had been referred to the distresses of war, and to the operation of the Orders in Council; and it was true, that no outrage had been committed since the 23d of June. But one feature of the case would be omitted, unless it were allowed, that though the origin of the evil might have been commercial, yet it had assumed a political character, and was now armed to destroy all property and wealth. In one point, as well as in many others, he had the happiness to agree with his hon. friend, the member for Yorkshire (Mr. Wilberforce.) That hon. gentleman conceived, that one cause which spirited up the people to discontent and commotion, and kept them turbulent when once excited, was the unfortunate circulation of erroneous and mischievous pamphlets, the unfounded statements and opinions of which infected the naturally peaceable minds of the people. The press had been honourably distinguished by the title of 'the charter of liberty,' he recognized that distinction himself, and would be most unwilling to make an infringement upon that charter. The liberty of the press was as necessary as the air we breathed ; but if, instead of a breeze refreshing and grateful to the constitution of man, it attempted to blow his habitation about his ears, then it continued no longer his protector but his enemy. If it promoted a sanguinary instead of a salutary principle, then it became mischievous and was worthy to be guarded against. Though he augured well from the present measure, yet he was aware, that half its beneficial consequences would be lost, if not sustained and promoted vigorously by the government. The most effectual remedy for disturbance was the formation of a good and strong government, such a one as would resist unreasonable clamour by its firmness, and by its alertness in redressing real grievances, prevent all reasonable complaints from souring the minds of the people to discontents and murmurings. Under the existing circumstances of the country, some mild and active measure was really necessary, for it appeared, by representations from the magistracy of the West Riding of Yorkshire, that the common law armed them with no means adequate to suppress the attempts and repress the machinations of the disaffected. If the common law was found no more than vigorous enough to sustain the peace of the country in unalarming times, how much would it fall short to preserve it under calamities such as at present prevailed. In justification of the measures now proposed, he could state, that representations had been made to government for some months, on account of the disturbed state of those northern districts: nor was it right to reflect on the magistrates, if they had found the usual means inadequate to the preservation of the peace. He did not know that government had done all that could have been done. Had some of the money, voted for the secret service of the government, and had the stipendiary police been applied to strengthen the hands of the magistrate, by procuring him ready information of what was going forward, perhaps the existing law might have been found more effectual; but they were to look at the case, not as fancy might picture it, but as it really existed. There they would find the arm of the magistrate too weak, and too confined to maintain the peace of the land, and the country calling upon the parliament to interfere and assist them. He would vote in approbation of the Bill as a measure if not necessary for the salvation of the country, yet as a mild and moderate exertion of power which was highly needful to restore the confidence, and tranquillize the minds of the people during the parliamentary recess. Let the Bill, however, be continued in existence for the shortest possible period, and let no tittle of power be delegated to the hands of the magistracy but what the case required: the House always bearing in mind, that what was added to the authority of the magistracy, was deducted from the liberty of the subject. If one part of the community, however, were willing to surrender part of their liberty to preserve the remainder, he could see no reasonable objection that could be raised against such honourable compromise. He did not entirely approve of that part of the Bill which sanctioned two magistrates in collecting the arms which might be scattered in individual hands over the country. He would not altogether give his immediate and unqualified consent to bestow a discretional power upon magistrates, to seize arms wherever and in whatever hands they might be found. Parliament, he hoped, would ponder well the consequences before they invested the magistrates with such an extent of power. Demands, indeed, had been made upon the government, that they would claim the arms which certain people had in their houses, lest they should be compelled to deliver them to the dissatisfied; but was that feeling general throughout the counties? By depriving them of their arms, were they not laying the people more open to the nocturnal attack of their wily enemies, who might take advantage of their defenceless situation? If any proper explanation and assurances was made upon that point of the Bill, he would immediately submit his own judgment to the better experience of the House. Respecting the power to be given to the magistrates to prevent the assembling of the people, he would always consent to a measure which went to apprehend men while they were committing a misdemeanour, in preference to one which would permit their actions to ripen into crime, and then punish them for felonious practices. Giving a concurrent power to the magistracy of the adjoining counties, seemed to him a measure absolutely necessary for furthering the main object of the Bill; and the expediency of it had evidently become generally apparent to the House. On the whole, although he had reasonable grounds for objection to one part, which he hoped would be amended in the committee, he approved of the principle of the Bill, and was resolved to support it.

Mr. *W. Fitzgerald* observed, that those who gave credit to the testimony borne by the hon. gentleman who had just sat down, to the state of the country, and to the consternation excited by the late tumults, could not concur with the hon. gentleman who had preceded him, in the opinion that the preamble of the Bill was false, and that the measure itself was founded on the assumption of a necessity which did not really exist. The long, extraordinary, and he must be allowed to say, inconclusive speech, of the hon. member for Bedford, contained only two arguments against the Bill. One ground of that hon. gentleman's objection to giving an extended power to the magistracy in general, was the misconduct of individual magistrates. The hon. gentleman stated that a magistrate had entered the cell of a convicted person—(Mr. Whitbread, across the table, denied having said it was a magistrate who had done this)—If not a magistrate the argument of the hon. gent. was still more inconclusive than he imagined. What! because an ordinary individual had attempted to extort from a convicted person evidence against the hon. gentleman—an occurrence indeed of too despicable a nature to have even been mentioned in that House—was the hon. gent. justified in asserting that the power of the magistracy ought not to be extended? The hon. gentleman had also chosen to refer to the manner in which a power similar to that conferred by this Bill had been exercised in Ireland. But it would have been fair, had the hon. gentleman recollected the state of Ireland at that period. That acts of horror had been committed in that country, he (Mr. F.) would not deny. No one, not even the hon. gentleman, could suspect him of becoming the apologist of such acts. But the circumstances of the two countries were widely different. And with respect to the insurrection laws in Ireland, it was well known, that they expired in two years after the union, and that they had not been acted upon. But was the necessity for their existence less because they had not been enforced?—He would not follow the hon. gentleman through the extraneous parts of his speech. If the subject of peace had any connection with the question before the House, it was this only—that it was a subject which he should have thought on such an occasion every hon. member would wish to avoid. Conscious as every man in that House, except the hon. gentleman, must be, that peace on honourable terms could not be obtained at the present moment, he was persuaded that no one but the hon. gentleman would have adverted to the topic; although he was glad to hear the hon. gentleman declare, that unless on proper and honourable terms, peace ought not to be concluded. Adverting to the observations made by the hon. gent. who spoke last, he observed, that the temporary nature of the Bill met the ideas of that hon. gentleman, and as to that hon. gentleman's objections to the provision by which the magistrates were empowered to search for arms, it ought to be recollected, that in times of danger, the convenience, and even the ordinary rights of individuals, must be made to bend to the public safety. He concurred in the opinion of the hon. member for Bedford, that his opposition to the Bill would not make much impression on the House or on the country, and he trusted that that hon. gentleman would concur with him in the hope that the Bill might be effectual in the attainment of the object for which it was introduced.

Sir *F. Burdett* denied that the speech of the hon. gentleman, who had just spoken, had at all shaken the arguments of the hon. gentleman near him (Mr. Whitbread). He concurred with that hon. gentleman in thinking, that there was nothing in the evidence before the House which warranted the recital in the preamble, or which justified the necessity of the Bill itself. He was no friend to extreme measures; it was common for bad governments to push matters to extremities, and then to make those very extremities a ground for extraordinary measures. He did not mean to impute such conduct to the present administration; but such was the method of proceeding, which a bad government could always adopt if it pleased. As to the present Bill, he disliked it altogether. Even the title of the Bill was defective. Instead of calling it "a Bill to preserve the peace," it ought to be termed "a Bill to disturb the peace, by giving undue power to the magistracy." He was jealous of increasing the power of those authorities, as he thought it had been already abused; he thought the magistrates had already, in many cases, exhibited great violence and intemperance, and he particularly reprobated the system of employing spies to stir up and entrap and bring to punishment the unhappy people. This was a system worthy of the devil alone. It was whimsical to hear the hon. gentleman below him (Mr. Smith) talk of the necessity of a stronger government. What government could be stronger than one which carried all before it, and against whose will the laws of the realm, and the rights and privileges of the subjects were unable to stand? Indeed, the members of the government actually took credit to themselves for having, in the present Bill, produced only a slight infringement of the constitution, when they would have been fully supported if they had proposed much greater violations of the accustomed law. He saw no necessity for the present measure. There was no reason to suppose that the existing power of the magistrates was insufficient to suppress riots and disturbances which it was confessed were themselves on the decline, and he therefore viewed with great jealousy, and great apprehension of abuse, the increase of authority proposed to be given. Even the magistrate's present power was too frequently abused. It was lately stated in the papers, that two young men, who had been working at a house in the country, and who had thereby become acquainted with the servants, were, some time afterwards, as they were walking in the neighbourhood, invited into the house by the servants. They were there found by the master, who was very angry on the occasion, but who, not contenting himself with a reprimand, took them before a magistrate in the neighbourhood. This magistrate, who was a clergyman, (and he must observe, that clerical magistrates seemed particularly fond of exercising their power), committed these poor honest labouring men to gaol on a charge of burglary! This happened in the month of August, just after the assizes. The men remained ironed in stone cells until one of them died; and when a bill was presented to the grand jury against the other, the next spring, the grand jury immediately threw it out. This was not a solitary instance—another case had occurred, in which an individual had been treated in a similar manner, and in which the result had been precisely the same. In his opinion, therefore, it would better tend to preserve the peace, were the power of the magistrates curtailed and regulated, rather than extended. It was curious to remark the different modes of thinking at different times on the same subject in this country. By the old acts of parliament, it appeared that when disturbances took place, a course was pursued the reverse of that now proposed. In old times it was the practice to arm all the inhabitants; to put them under the direction of some constituted authority, and to make the sheriff of every county responsible, and every district in a county responsible for the mischiefs that might occur. In proof of this, he referred to the statute of the 13th of Edward 1; a statute to which he had vainly hoped the House would have looked as a guide in their late proceedings for regulating the watch and ward. Our ancestors, on such occasions, bid not depart from the constitution, but armed and organised all the inhabitants of the disturbed districts, and punished those who would not so arm to repress the disturbers of the public peace. Now, however, parliament sat about disarming the people. He could not conceive any thing more humiliating. He could not conceive any thing to be a more complete badge of slavery. For himself he would rather die on his threshold, than give up his arms. He was convinced, that if the powers to be given by the Bill were not exercised with discretion, it was calculated to put the whole country in a flame. With respect to the strange supposition, that the hon. gentleman (Mr. Whitbread) was one of the instigators of these disturbances, it appeared extremely ridiculous to the House, but it was not so in the country. The ignorance and blindness of people in the country were astonishing. Even in that House imputations of a similar nature were sometimes heard. In the last debate upon the Bill, the late Secretary of State for the Home Department threw out an intimation that he (sir F. Burdett) had some systematic design in opposing the Bill. It was plain enough, though it was certainly false enough, that the systematic design imputed to him, was one hostile to the constitution. He had but one design—to keep together the throne and the people, and to get rid of a system in that House inimical to both. Such had ever been, and such ever would be the systematic design of his political life. With respect to what had been said of the liberty of the press, he maintained, that if any man had a right to say, "thus far shall it go, and no farther;" the liberty of the press was at an end. For different men would of course view in different lights the proper line of boundary. In his opinion, it was only by a free and unlimited discussion of public subjects through the medium of the press, that truth could be elicited. Even the very calumnies of the press contributed to that great object, for they proved that the press was unshackled. He admitted that an injury done to an individual by the press, should be as severely punished as an injury sustained by an individual in any other method; but he contended that, by trying to put down the press, as it respected public affairs, government were defeating their own object, and by exhibiting a narrow and mistaken system of policy, conferring credit on their calumniators. Upon the whole, reprobating the manner in which the secret committee had been formed, perceiving that their Report afforded no reason for departing from the established law, convinced that it would be much more safe and efficacious to adhere to that law, observeing that by that law, a great number of the recent offenders had actually been punished: and being informed that the disturbances themselves, if they had not completely subsided, were very much moderated, he should feel it his duty to vote against the second reading of the Bill.

Mr. *Charles Grant*, jun. (in a maiden speech) declared, that in voting for the measure before the House he should not deem himself guilty of any innovation on the constitution. He supported the Bill, not because he thought that the exigency of the occasion required any departure from the principles of the constitution, but because he thought that it required the exercise of those powers which, though dormant, were inherent in the constitution, because he thought that it required the assumption of those energies which belonged to the constitution, and were as essential to it, as the minor and ordinary qualities of every day's practice. On the necessity which called for the exercise of these powers, and the assumption of these energies, every one must be allowed to form his own opinion. But he confessed, he heard with surprise the declaration from the hon. gent. and the hon. baronet opposite, that they could perceive nothing in recent events which manifested that necessity. In his humble opinion, there were on the face of the Report of the Secret Committee proofs of the existence of a regular and organized system of insurrection; proofs of a league entered into by a number of men, whose conduct was marked by an alarming degree of prudence and foresight; proofs of societies assembled for the most mischievous purposes, and bound together by oaths of the most solemn and serious description; proofs of the lamentable effects of such a system, operating in a way the most fatal, and the most deeply to be lamented. The system was at that very moment raging in the heart of the country! The actors were still at work! The conspiracy was still alive! And were parliament, under such circumstances, to be told that no legislative interference was necessary? Of what import in the consideration of this Bill was the origin of the evil? If it had originated in the distresses of the districts in which it had prevailed, yet in its progress its aspect had been materially changed. He could easily conceive, that the desperation which hunger and the want of employment must occasion, might, in the first instance, have urged the exasperated and unfortunate, though mistaken, individuals, to the destruction of that machinery from which alone they could derive their future support; but when he heard of a regular and extensive combination occupied in the seizure of arms, in the acquirement of military discipline, in the administration of oaths of mutual adherence, he could not but believe that the character of the proceeding had changed, that other modes of thinking had been introduced, that other passions had been inflamed, and that the whole had assumed a deeper and a more dangerous malignancy. When, therefore, it appeared that the spirit of mere riot and misrule which prevailed in the first instance, had so changed in itself, or had been so converted by the craft of designing individuals, as to wear an aspect of a very different nature, it became the House, in their deliberations on the subject, to regard rather the existing circumstances, than their origin. But even were the present state of things attributable solely to the discontent in which it originated, were no other consideration mingled with it, still the House would be unjustified, when the disturbances had arrived to such a height, in concluding the present session, and separating for the summer, without providing the means by which those disturbances might (as he trusted) be effectually repressed. It had been said that the revocation of the Orders in Council, and the consequent demand for our manufactures, would gradually diminish the discontent, and restore tranquillity. But he entreated the House to recollect, that effects always survived their cause; he entreated the House to recollect, that after the moving influence had ceased, the machine still for a time went on; he entreated them to consider how far the mere subsiding of the agitation, the mere rocking of the waves into a calm, might yet affect the public peace and welfare. This would be a subject for grave deliberation, even by those who thought that the recent events were to be ascribed to one simple cause. Such was not his opinion. He was persuaded that other motives had been added to the original and inspiring one. He appealed to the House whether these confederacies, these nocturnal assemblies (so strange to Englishmen) were circumstances under which the country could be left with safety? But they had been told that the existing laws were adequate to the occasion. How were they so? Did they authorise the magistrates immediately to disperse unlawful and tumultuary assemblies? Did they authorize the magistrates, in the first instance, and without any deposition, to seize arms, when it was suspected they were about to be used for mischievous purposes? By no means. The very individuals upon whose conduct it was asserted that the existing laws might be made sufficiently to operate, laughed at them; and under the protection of their inefficiency, pursued their destructive designs. It was under the shelter of the laws that they planned the overthrow of all law. It was under the very wing of the constitution that they hatched their plots to subvert the constitution. All that was requested was to give to the magistracy the means of meeting the occasion as it stood. He repeated that it was not proposed to introduce any thing new, any thing unknown to the constitution; but solely to call into exercise those powers belonging to the constitution, the exercise of which necessity demanded. It was the constitution which he invoked. He invoked it in behalf of themselves, he invoked it in behalf of the men whose lives were in jeopardy; those deluded people, who under the treacherous guidance of designing and desperate individuals, were in danger of being hurried into excesses of the most criminal nature; to assume the energies which belonged to the occasion; to overtake the rapid march of crimes, to whose speed the slow pace of ordinary justice was equal; and to arrest in its progress the career of sedition and anarchy. These were principles not now for the first time broached. They were principles which had always been recognised by our ancestors. They were principles as old as our liberties. They were principles constitutional, social, and universal. They were principles which had built up our freedom, and which bound it together. They were principles which operated in all places and on all societies, whether of individuals or of whole nations.

Mr. *Frankland* would trouble the House but for a very short period, lest he should weaken the effect of the admirable address which they had just heard. His vote would be founded on the Report of the committee. Objections had been made to the mode in which that committee was constituted. It was nevertheless conformable to all precedent. Objections had been made to the character of the report. On what ground? Had they stated occurrences which had not happened? Had they inferred motives which did not exist? Having no superior information, he considered the Report as authority, and was persuaded if the House did not act on that Report, they would betray their country. On the principle of the Bill, he doubted whether, strictly speaking, they were not unanimous; on many of its provisions differences of opinion might exist: he himself might not approve of some of the provisions; but this would be a subject of consideration for the committee on the Bill. He confessed that he had entertained serious hopes that the ferment would ere this have subsided. It was his opinion, that from time to time, a moral, like a physical epidemic, passed across the world, and that from causes as invisible in the one as in the other, some obstruction in the circulation, or some inflammation, produced an irritation, which often worked its own cure without the assistance of violent remedies. It might appear a ridiculous illustration, but it was a just one. All writers on political experience concurred in asserting the existence of these occasional diseases. When they occurred in any country, they were watched by every foreign enemy who, observing probably from a want of prudence an increase in the disorder, availed himself of external applications still further to exacerbate it. Such had been the diseased state of the country. If there were predisposing causes it was not to be supposed that the disorder was to be cured in a day. To chronic diseases a course of alterative medicine must be applied; and we must be content to wait with some little patience for the cure. In extraordinary cases, it must be allowed that extraordinary powers were necessary, not for the sake of increasing the sum of human suffering, but for the sake of humanity to diminish it. But in the midst of all the evil, the noble and affecting picture which the conduct of our manufacturers exhibited in continuing to employ their men to the useless accumulation of stock until their last shilling was expended, made him proud of being a member of such a community. Reverting to his former image, he observed that this was not an ordinary state of the body politic, and therefore that ordinary diet, and ordinary treatment would not agree with it. The ordinary law in such an extreme case was insufficient. It was inhuman, for it would not prevent crimes of deep dye. The power delegated in times of public danger to the dictators, was the salvation of the liberties of the commonwealth of Rome. Foreign war was an evil comparatively insignificant. Civil discord, by removing all restraints, shewed how miserable human nature could be, when to the horrors of unrestrained animal passions were added those of depraved reason. This fever or madness of discontent had seized on part of this country. An alterative must be adopted to remove it. It was a political axiom, that in all countries some persons would be found conceiving that they did not possess sufficient power or influence, or other goods of fortune. Let changes be made as frequently as they might, disaffection and discontent must somewhere exist. It was the duty of the legislature, when that discontent burst into action, to use severity for its suppression. By a due performance of that duty it might make itself feared, but would not make itself hated. It would prove itself the physician of the state. Far was he from thinking of the situation of the unfortunate people whose conduct thus loudly called for legislative interference, without pity; and to shew that he really entertained the greatest commiseration for them, he suggested that it might be advisable, on the passing of the present Bill, to issue a royal pardon to all those who, up to that period, had offended against the laws already in existence. This union of retrospective lenity and of prospective severity, might be productive of the happiest effects. He should certainly vote for the second reading of the Bill.

Mr. *Brougham* began by saying, that he hardly knew how to characterize what had fallen from his hon. friend who spoke last. If he were merely to call it a speech, it would appear like not treating with sufficient respect the medical science it contained; and he thought it was much too long to be called a prescription. He was afraid that his education in that science had been too defective to enable him to follow his hon. friend through the whole of his *materia medica.* He was, however, perfectly convinced in his own mind that the remedy which ministers proposed was a great deal worse than the disease. If the country did not absolutely die of the doctor, he was convinced it would suffer much by his prescription. He felt the full force of the speech of his hon. friend (Mr. Grant) which had been so much admired by the House; although, having had many other opportunities of witnessing the display of those talents, he did not participate in the general surprize on the occasion. He must, however differ very materially from his two hon. friends. The first of them had gone so much into general grounds, and the other so much into the details of another science, that they both appeared to lose sight of the question under discussion this night; which was, whether the Report of the committee was of such importance, as to authorize or justify the House in adopting the measures which were proposed; and which were in fact a suspension of the constitution. In the Report of the committee he could see nothing but vague generalities; and his hon. friends, so far from correcting that error in their speeches had not adduced a single fact to assist the House in coming to a decision upon its merits. He would allow that effects were apt for some time to survive the causes which produced them; and it was on that very account that he, attributing the disturbances merely to distress, thought that they should wait some weeks, he might say some days longer, to see whether those disturbances would not subside of themselves, without the necessity of any new measures. It was very natural that he, and his hon. friend the member for Bedford, should contend that parliament had already provided a sufficient remedy for the disorders, in repealing the Orders in Council. It did not follow, indeed, that the effect was to be absolutely instantaneous, but he believed that the remedy had acted as rapidly as could be expected, and that of itself it would be found quite sufficient. An hon. and learned friend of his (Mr. Stephen) had just entered the House, and after rather a long absence, now gratified their longing eyes. He understood that his hon. and learned friend meant to contend, that those disturbances were not at all connected with commercial difficulties, or the Orders in Council, and were not at all affected by their repeal. He should, however, beg leave to state a few facts which would shew the contrary. He should first appeal to the information which he had received upon that subject, in the correspondence of a charitable association, to which he had the honour of belonging, as well as his hon. and learned friend. In mentioning a charitable association, he could not avoid saying, that in those institutions, England was most admirable, and far excelled any other nation upon earth. Here, in times of the greatest pressure and difficulty, there never were wanting munificent subscriptions in aid of any thing which came recommended in the form of charity, and more particularly for the relief of the distresses of our own manufacturers. In the association to which he alluded, his royal highness the Duke of York was the president, and many, not only of those who supported, but even of those who most constantly opposed administration, were members. The accounts which were therefore transmitted to that association, and entered in the records of its correspondence, must be considered as quite above any suspicion of partiality or faction. In examining those records, he found it completely confirmed, that the distress which prevailed was great, general, and unexampled. He had looked over all the correspondence for twenty-two districts, and found that the disturbances were so much connected with the distress, that they might be directly traced to it; and whenever a district was found in which the distress was great, in that district also would be observed a proportionate disturbance. In all the correspondence, from no less than 22 counties, the distress was stated as proceeding from "want of work in consequence of the present state of the manufactures;" and many letters referred it directly to the Orders in Council, and expressed the strongest pleasure at their repeal, and the greatest hope that that repeal would prove an effectual remedy. He should now state a few strong instances of the truth of what he had advanced. In Bolton-in-the-Moors, in Lancashire, a place which contained a population of about seventeen thousand souls, there were about three thousand persons exposed to the most severe pressure of distress; and in the vicinage of that place, the practice of twisting-in, according to the cant phrase by which the unlawful swearing was designated, was very common. It was by some of the initiated of this district that the assembly on Dean Moor, of which the House had heard, was composed—that meeting at which spies, paid for their services, had attended—spies, who were the only persons there who appeared in disguise—spies who could not screw their courage up to a pitch such as would enable them to assert that the meeting was composed of more than forty persons, of which number they themselves composed a part, in the ratio of twenty-five per cent. It was worthy of remark that in this place no steps had been taken to diminish, by charitable donations, the sufferings of the poor. This seat of distress, then, became the focus of disturbances in Lancashire. If he could have come before the committee as a witness (but being a member of a committee so chosen and so packed by ministers, there was little chance of that) he could have laid before them many facts much more important than those upon which they had reported. At Huddersfield, in Yorkshire, the distress was still greater than at Bolton; it was stated in the correspondence, "that the distress here was great, unexampled, and wholly beyond the power of removal; that applications were constantly made for assistance, and that not even the most feeble attempts were made to give relief." The town of Huddersfield, so circumstanced, became in Yorkshire what Bolton was in Lancashire,—the principal seat of disturbance in the county. In another place, in Lancashire, the town of Walton, which, like the other places he had mentioned, was populous in poor, and poor whose habits were pretty much the same, and where there was a population of five thousand souls, there were thirteen hundred persons in distress, but these were all relieved; whereas, out of the three thousand in Bolton, only three hundred had obtained any assistance. There were a number of persons in the neighbourhood of Walton in easy circumstances, and who had not sustained the losses which had been felt by persons in the same rank of life in Huddersfield and Bolton, and these persons had, by soup tickets and other supplies of food, come in aid of the parish contributions, to diminish the distress of their poor, and the consequence of this was, that every thing had remained perfectly quiet at Walton, and not the slightest symptom of disaffection had manifested itself. There were other places where much distress had prevailed, and the inhabitants of which, having been relieved, had preserved the King's peace. These were the reasons which had induced, in his mind, the opinion that the discontents which unhappily were to be found in the country, were the result of distress, and of that alone; and perhaps he should not have detailed them so minutely, if it had not been for the cheer of his hon. friend. With respect to the reasoning to be found in the ingenious allegory of another hon. friend, he had to observe, that however just it might be in the abstract, he could not go the length of agreeing with him, that because there appeared, either in the body politic or natural body, a want of some remedy, that therefore the first that offered itself should be gulped down. He thought that if it appeared that the disorder was decreased, common sense would require us to exert a reasonable degree of patience. From this correspondence it evidently appeared, that the medicine which had been administered in the rescinding the Orders in Council, was producing the most tranquillizing effects. In a letter, dated the 8th of July, from Huddersfield, acknowledging the receipt of 150*l.* sent from the association in London, the secretary, after suitable acknowledgments of the gift, dwelt on the pleasure felt at the removal of the Orders in Council, and mentioned that "the yet meagre countenances of the inhabitants were beaming with joy, and that work was now found for numbers of them." It was evident that those meagre faces which began to beam with joy, and those hands now employed in work, could not be supposed busy in contemplating or perpetrating acts of murder. He must say, that he had another and a very strong objection to granting these extraordinary powers to the magistrates; and that was, that he suspected some of the magistrates as men not fit to be entrusted with such powers, and likely to abuse them. In this he alluded merely to Lancashire, not to Yorkshire, and principally to that one magistrate, a clergyman, whose representations appeared to have had so much influence on the Report of the committee. His correspondence was so inflated with fear and fancy, and evinced so much precipitation and bigotry, that he could not conceive him a man of sound judgment; and in a court of justice, he would doubt any fact stated by such a visionary. In one of his letters he talked of the restoration of peace "when the present generation of disturbers should be swept into oblivion." Although, from his expression he should consider him a man of unsound judgment, he considered his acts as of much more consequence. He had absolutely charged with a capital felony a most respectable dissenting clergyman, whom he asserted to have been present, aiding and abetting at the destruction of some mills; and when afterwards he was called upon for his authority for so saying, his answer was, that he had the story from a dying man. He must take the liberty to doubt that the dying man ever did say such a thing; and even if he did, the assertions of men at the gallows were known to be very bad evidence indeed. He could give other statements illustrative of his preceding positions; nay, in giving them he could go to greater length than the hon. member had done in the speech which he had just delivered. The next case to which he would allude was that of a Methodist preacher. From his statement, it appeared, that while preaching in the centre of his flock, one Saturday evening, light was observed in his dwelling by one of these useful gentlemen, the spies, who happened to be travelling that way. This individual instantly gave notice of a nightly meeting, and but a very little time had elapsed before the poor parson was surrounded by eight of the Scotch Greys, who led him off in a most indecorous and insulting manner. Now what was the consequence of such a proceeding? Why, that by this unnecessary interference, the minds of this clergyman's flock became irritated; they now were enemies who before dwelt in peace. But the motive of this proceeding doubtless was an antipathy to the sect, or the expectation that it would not be unacceptable to higher persons. The sect, however, had proved themselves lovers of peace. The charitable association before alluded to, had offered its assistance to a particular place in one of those disturbed districts. The answer was, that the distress was so extensive that the whole fund of the association could not give the required relief; that it resulted from the total want of work; that no disorders whatever had taken place, notwithstanding all this distress; but this latter circumstance, they said, was to be attributed to the happy prevalence of the principles of Methodism.—Yet the men professing these principles of peace were to be insulted and disturbed; and those who so insulted and disturbed them were to have more extensive powers! A man of the name of Haynes, who unfortunately lived in one of those disturbed neighbourhoods, was actually compelled to join one of the unlawful meetings, and to take the oath. This man was impeached by the spies who attended the meeting. He was not rich enough to employ a counsel; and, if he had, such counsel could not have addressed the jury on his behalf. The jury, however, on his own plain, unvarnished, simple statement of his case, and from the activity and bustle which they saw among those spies, in the court and about the jury-box, acquitted the man; and saved him from the machinations of these attendants on the magistrates. There was another mischief, also, to which the unhappy people in these disturbed districts were liable, and which the House should be careful how it enlarged the means of increasing. This was the danger of insulting a spy. These gentry had of late been raised to such extraordinary consequence, that to insult one of them was scarcely one degree removed from the crime of insulting a magistrate. A poor schoolmaster had been taken up and punished "for insulting one of his Majesty's spies." A woman of the lower order was met in a public street by one of those spies, who taunted her with her husband's conduct; and on her expressing her resentment of his unmanly behaviour in rather warm terms, she was seized, taken before a magistrate, and punished, for insulting this spy. But why was all this done; why did such cases occur? They resulted from the active zeal of pettifogging magistrates, in the hope of recommending themselves to the attention of government. A late right hon. friend of his, whose loss the House, as well as he himself, would long deplore (Mr. Windham) had never mentioned this race (for he talked of them as if they were vermin) without expressing sentiments of disgust, contempt, and mistrust. He meant the meddling, the over-busy magistrates, by this description. To these men, however, the House were called upon to give new powers. As to the spies, they were busy because they thought they ought to do something for money; for certainly no one would suppose, that they took up this calling from mere love for it. No one would believe that they were amateurs, especially when it was considered, that they were paid a very great price for their services, some of them 30*s.* others 40*s.* and some two guineas and an half a week, besides all their expences. It was not to be wondered at that the magistrates were their strenuous supporters. If the member for the university of Cambridge wished to know what became of the secret service money, he might now guess how hundreds went; for how great a sum must go to pay this immense troop of spies! And when waggons were travelling about the northern counties loaded with money to pay this host, was it nothing to have the disposal of it,—was it to be supposed that all this money passed through certain hands without some of it sticking to their fingers? The House should also consider the vast source of patronage it created, and how that patronage might be made particularly available almost on the eve of a general election. These spies had endeavoured, on various occasions, to induce unhappy men who had been arrested, to make allegations against the highest and best of characters. He instanced the name of the member for Bedford, and himself, in comparison, he would allow, a very humble character. They, however, from their station in life, might smile at the malice and baseness of these miscreants; but persons who were not so happily situated, and who lived unfortunately in disturbed neighbourhoods, were liable to be exposed to the most dreadful injustice, and frequently to ruin. A manufacturer was constantly exposed to the hardship of having his privacy broken in upon, and his grounds and premises ridden over and taken possession of by parties of Scotch Greys, if any one chose to go to a magistrate and say, that in the manufactory there were suspicious persons. These spies were the active agents of the magistrates, and the House should be cautious how they enlarged powers which might be used to such mischievous and oppressive purposes. In one instance a poor fellow had been arrested as a rioter, who was in the employment of a manufacturer of very good character and large property, who had been to him a most generous and kind master. As soon as possible after he was in their power, the spies applied to him with an assurance of "drawing him through," if he would inform them of any thing his master had ever said against government. He answered them, that he had never heard any thing of the kind. "What," said they, "did you never hear him say any thing against the King?"—No. "Nor against any of the royal family?"—"No." At length, after assailing him in various ways, they offered to "draw him through," if he would say that his master told him, if he (the man) would take against the King, he (the master) would back him. The poor fellow burst into tears at being supposed capable of so base a return to the kindness of so good a master, and resolutely refused all their offers. But this shewed what base arts and means had been resorted to; and it was, in his opinion, too great a trust to enlarge powers, and trust them in the hands of a set of men who had already shewn themselves too busy in invading the rights and privileges of Englishmen, their fellow subjects. The Bill was objectionable in every point of view. It would give power to break into any house at any hour of the night, if an individual chose to say that it contained arms; nay, it would do much more, it would revive the power of gagging; of dispersing any thirty persons that might be collected together. At one of the meetings of magistrates, it was loudly trumpetted, that a number of disaffected persons had been seized with all their books and papers, at a nightly assembly, from which seizure wonderful discoveries of treason and disaffection was expected to be made. This terrible assembly, however, turned out to be so far a nightly meeting indeed as having been held after the men left their work; and their desperate books and papers were a copy of a Petition against the Orders in Council, and a list of names which had been written down, of those who signed the Petition; which Petition, with the real names, he had presented to the House; and if the powers had been then granted to the magistracy which were now asked for, the House, would never have seen that Petition, and he should have been deprived of all the benefit he and the country had derived from its authority both in argument, and in the number of signatures attached to it. Had it been known that persons had assembled to vote for it and sign it, without doubt the magistrates would have broken in upon their deliberation on the pretext that they were doing something against the government. There was also another circumstance still more alarming, which was, that these magistrates, now, before they were armed with those extraordinary powers to be given by the present Bill, did not content themselves with searching for warlike instruments, such as pikes and others made of iron, but were also keen in their researches after more precious metals, such as gold and silver; they accused particular men of the crime of "hoarding," and thereby shewing themselves inimical to the government. Some of them had repaired to a house in search of deserters; after ransacking the yard, and all the out-houses, without finding any thing in the shape of a soldier, they went into a room behind the tradesman's shop, and desired a certain drawer might be opened. The man drily observed, "they could hardly expect to find a deserter soldier in that drawer." Opened however it must be, and there appeared about ten pounds in silver, which this tradesman had collected for the convenience of change in his business. They seized the money, however, as a hoarding against the government: and when after a hearing before the magistrates it was found to be no crime of which they could legally take notice, they returned this tradesman 10*l* in Bank notes instead of the silver he had been so long collecting, or as they termed it "hoarding." (A very loud and general cry of question, question, from the ministerial side of the House.) He knew from what cause that cry proceeded.

He perceived the anxious calls of his Majesty's Attorney-General; doubtless those truths were unpleasant to the right hon. and learned gentleman. But he was glad to think that notwithstanding the indecorum of some members, he had not stated one word less on this most important subject than he originally meant to do.

Mr. *Bankes* observed, that the last speaker wanting arguments to oppose to the Bill before the House, had tried to excite a feeling of disgust against a body of men whom that House always had treated, and always ought to treat with the greatest respect. The hon. and learned gentleman had said, he was afraid of trusting the magistrates with further powers, who had abused what they at present possessed. This censure was not deserved by the magistrates. If the hon. and learned gentleman could make it plain, that the law, as it at present stood, was competent to remedy the existing evil, he (Mr. Bankes) would vote with him; but as that did not appear, the Bill would have his support. He contended that it was necessary and right to search for arms, when it was known that arms had been illegally seized. Tumultuary meetings could not be effectually put down, so as to prevent evil-disposed persons training themselves to the use of arms, unless the power proposed in the Bill was given to magistrates. The hon. and learned gentleman had traced the origin of the present disturbances, and found it in the distresses of the manufacturing classes, but did he think that nothing was engrafted on that which had originated in those distresses? Was it not probable that those distresses had been taken advantage of by designing persons, for purposes hostile to the peace of the country? Adverting to the course of proceedings resorted to on the present occasion, he rebutted the insinuation that had been thrown out, that the Secret Committee lately ballotted for had been a packed committee. The names that had appeared on it seemed to him to be fair and unexceptionable; and if he had himself made out the list, he did not know that he could have formed one, in his own opinion, more competent and proper than that which the ballot produced. To prove that the committee were not all of one way of one thinking, he would state the fact, that on one division a particular motion had been carried by a majority of one only. With respect to the actual state of the country, he would ask, did the hon. and learned gentleman believe in the existence of the unlawful oath? If he did, could he think that, many persons having taken that oath, the districts in which it was taken could be safe? If he were to blame ministers on this occasion, it would be, first, because they had not taken up this subject early enough; and secondly, because he was afraid the present measure would not prove sufficiently strong. He was sorry it had not been more particularly attended to before, and thought the disturbances ought now to be effectually put down, or they would extend to the other counties. With this feeling it was his opinion, that it might have been wiser to adopt stronger measures. He was happy to find the Bill in no way trenched upon the liberty of the press. To curtail that liberty, he hoped, would never be necessary, but at the same time he felt that it might become necessary, under certain circumstances, to guard against that which was one of the greatest blessings the country could boast in the hands of the good, becoming a most pernicious instrument in the hands of the bad; the more especially as the productions of the press were more eagerly sought after of late years, by the lower classes of the people. He was apprehensive that the present measure would not be found to go far enough; he should, however, give it his vote, in the hope that his fears would prove vain.

Lord *Althorp* opposed the Bill. The original cause of the disturbances being done away, by the revocation of the Orders in Council, he thought such a measure as the present unnecessary; but at the same time he wished it to be understood, that he did not oppose it from any apprehension that the magistrates would abuse the power that might be entrusted to them. However inconvenient it might be to individuals, he would prefer keeping the parliament together, to the adoption of any thing which would interfere with the principles of the constitution.

Mr. *Wilbraham Bootle* thought there was nothing to warrant the strong language made use of by the hon. and learned gentleman against the magistracy. Those "vermin," as they had been called, were entitled to the protection of the House. It should be recollected that this was entirely a gratuitous office; and gentlemen from the southern counties could have little idea of the exertions which were necessary in large manufacturing towns like Manchester. He supported the Bill.

Mr. *Stephen* observed, it had been said by his hon. and learned friend, when he (Mr. S.) entered the House, that the present disturbances had originated in the distresses caused by the Orders in Council. This had surprised him, as he had often heard the hon. and learned gentleman say, in the course of a long enquiry, which he had prosecuted with him, that the distresses produced by the Orders in Council and the riots had no connection. The hon. and learned gentleman had indeed regularly put the question to his witnesses, and the answers uniformly given had been "No, the poor manufacturers, though suffering much distress, are peaceable and orderly." He (Mr. S.) had had it in contemplation to appeal to his hon. and learned friend for the truth of this fact, in order to meet what had been said by others on this subject. But if the Orders in Council were the cause of all these evils, and the manufacturers were still peaceable, quiet, and orderly, he should be glad to know how his hon. and learned friend maintained his present argument? He had no doubt his hon. and learned friend possessed the information he had stated to the House, but he must say, he had also been most grossly misinformed, and the facts had been most grossly exaggerated. If, however, the peace and tranquillity and the safety of the country was at stake, some remedy must be applied, and without it, there was no reason to doubt but that these disturbances must increase, and the case must ultimately come to this; if the powers of the magistracy are insufficient to the purpose, they must enlarge their powers. They had a body of magistrates deserving of every praise, serving their country at the expence of all their domestic comforts, and yet from the peculiar malignity of the English nation or from some subversion of human nature, they were to be branded and stigmatised as a race of vermin. With respect to the charitable institution for the manufacturing poor, he had withdrawn himself from that institution on account of its being said, that the charity was intended not so much to relieve sufferers, as to find means of protecting the Orders in Council. Adverting to what had been said by his hon. and learned friend respecting the Methodists, he readily admitted the justice of the eulogium bestowed on a set of men than whom there were none more loyal or better affected to the Church as established,—none more distinguished for philanthropy and benevolence. But no one could deny the existence of a great evil; and he confessed that he should be glad to hear what remedy his hon. and learned friend, with all that impartiality for which he was so eminent, would propose to meet this evil, for as yet he had not pointed out any remedy. He had found nothing in his statement of this kind, and much less in his argument. He could not deny that a system of terror existed in the country; he could not deny that this system of terror prevented parties from giving the necessary information which would enable the government to come at the root of the evil; he could not deny that there was a strong degree of terror impressed upon the minds of the people, which it was the object of this Bill to mitigate. It was a measure which could not possibly be abused or applied to any oppressive purposes. With the last speaker, he was inclined to fear, that it was not sufficiently strong; but upon the whole, to him it appeared, that it was as constitutionally mild, and as well calculated to meet the existing evil, as any measure human wisdom could devise. He was surprised at the opposition made to this Bill by his hon. and learned friend. He expected to find in him its staunchest advocate; as he laboured to exonerate those who suffered through the Orders in Council from any participation in the late outrages. The measure was in his opinion perfectly constitutional, but fearing, as he did, that it would not go far enough, he should have felt it his duty to propose some provisions of a stronger nature, but for the pledge given that parliament would again be assembled if such should appear to be necessary.

Mr. *Lamb* wished the Bill were divided into two parts. If it were so divided, he should vote in favour of the provision for putting down tumultuous meetings, &c. but he should oppose that authorising searching for arms. His objection to this was so strong, that, approving as he did of some of the provisions of the Bill, if it were still kept in, he, for one, should oppose the measure altogether. He was surprized the hon. and learned gentleman who had just sat down should pronounce the measure to be constitutional; it was a temporary suspension of the Bill of Rights, and however such a proceeding might be justified by circumstances, at least it was fitting that they should call things by their proper name.

Mr. *Wilberforce* would not have risen,

but for some observations which fell from his hon. friend (Mr. Whitbread) in the early part of the evening. His hon. friend had stated, that the only remedy for securing the tranquillity of the country was peace; and he had further said, that those very disturbers of the public peace, the objects of the present Bill, would cheerfully bear any burdens, provided they were satisfied that means had been taken by government to bring the war to a conclusion. At that assertion he had smiled, and his hon. friend expressed his surprise. The smile was excited because he recollected past times, when his hon. friend, expressing the same sentiments in opposing the measures of every administration, and in recommending to them to make overtures for peace, had, when those overtures failed, always said that the offer of our government had not been a fair one. The smile was naturally called up, because the declaration of his hon. friend was a perfectly safe one to make. With respect to the disturbers of the public peace, he hoped and trusted that when they were awakened from their delusion, and came to a proper sense of the valuable blessings which they enjoyed, they would return to their duty like true Englishmen. There was one other topic upon which he would say a few words, and that was the calumny which had been heaped upon the magistrates. When he recollected that so much was due to the magistracy, that the happiness of the country so much depended upon them, he could not avoid expressing his regret, that the hon. and learned gentleman should declare, that the legal profession had an unfavourable opinion of their conduct, generally speaking. He believed that very few of the legal profession would agree in the opinion of the hon. and learned gent. To be sure that opinion applied principally to the magistrates of Lancashire, for his hon. and learned friend had not uttered a word against those of Yorkshire. In what situation were the magistracy placed by the opinions of his hon. friend and the hon. and learned gentleman? At one moment his hon. friend reproached them for being too supine, and the next moment for being too active in the discharge, the gratuitous discharge, be it recollected, of their duty. When it was known that these magistrates were threatened with assassination for discharging their duty, and then were to experience such treatment from the House, was it likely they would act with vigour? The clause in the Bill empowering the magistrates to search for arms, he was afraid, would be ineffectual. Persons who dare not keep, and use their arms, would certainly, after the passing of the Bill, make that a sort of pretence for getting rid of them: but the delinquents could conceal their arms.

Mr. *Leigh* observed, that the censure of the hon. and learned gentleman could not apply to the whole of the magistracy, for only two were named as blamable. He however condemned the conduct of the hon. and learned gentleman, in affixing so foul a name as vermin upon them.

The House then divided—

For the second reading 131
Against it 16
Majority .... —115

The Bill was then read a second time, and committed for to-morrow.

PRISONERS OF WAR.] Lord *Castlereagh* rose for the purpose of moving a repeal of the laws relating to the aid given in effecting the escape of French prisoners of war. As the law now stood, which the noble lord observed called loudly for the interference of parliament, the crime was only made a misdemeanour: the object which he had in view in the Bill he should move for leave to bring in, would be to constitute the crime a felony, punishable as hereafter might be agreed upon; with transportation either for life, fourteen, or seven years. When it was known that prisoners of the highest rank in the army of the enemy had effected their escape by means of an organized system for conveying them out of the country, by a succession of persons so as to elude pursuit, the House would feel the necessity of providing against the danger. He therefore moved for "Leave to bring in a Bill for the more effectual punishment of persons aiding or assisting French prisoners of war to escape out of the country."

Mr. *Whitbread* hoped that some measure would be adopted for an exchange of prisoners. He regretted that the opportunity afforded some time since had been suffered to pass over. Independent of the feelings of those persons nearest allied to our friends detained in France, the exchange, in a national point of view, was highly desirable.

Lord *Castlereagh* coincided in opinion with the hon. gentleman, and assured him that his Majesty's government, as had been proved from the papers on the table, had not lost sight of any opportunity to bring about an exchange. The fault that no exchange had taken place did not rest with them. The earliest opportunity should be taken for a renewal of the negociation with the French government, consistent with the honour and dignity of the country. Leave was then given to bring in the Bill.

HOUSE OF LORDS.

Tuesday, July 14.

REPORT OF THE SECRET COMMITTEE ON THE DISTURBED STATE OF CERTAIN COUNTIES.] The Earl of *Harrowby* presented the following

REPORT FROM THE SECRET COMMITTEE APPOINTED TO ENQUIRE INTO THE LATE DISTURBANCES.

Your Committee, in pursuing the enquiry referred to their consideration, have endeavoured to ascertain the origin of the disturbances which have arisen in the different parts of the country, with respect to which they have obtained information, the manner in which those disturbances have been carried on, the objects to which they have been apparently directed, the means used to suppress them, the effects of those means, and the state of those parts of the country within which the disturbances have prevailed.

The disposition to combined and disciplined riot and disturbance, which has attracted the attention of parliament, and excited apprehension of the most dangerous consequences, seems to have been first manifested in the neighbourhood of the town of Nottingham, in November last, by the destruction of a great number of newly invented stocking-frames, by small parties of men, principally stocking weavers, who assembled in various places round Nottingham.

By degrees the rioters became more numerous and more formidable, many were armed and divided in different parties, disturbed the whole country between Nottingham and Mansfield, destroying frames almost without resistance.—This spirit of discontent (amongst other causes to which it has been attributed) was supposed to have been excited or called into action by the use of a new machine, which enabled the manufacturers to employ women, in work in which men had been before employed, and by the refusal of the manufacturers to pay the wages at the rate which the weavers demanded; and their discontent was probably heightened by the increased price of provisions, particularly of corn. The men engaged in these disturbances were at first principally those thrown out of employ by the use of the new machinery, or by their refusal to work at the rates offered by the manufacturers, and they particularly sought the destruction of frames owned or worked by those who were willing to work at the lower rates; in consequence of the resistances opposed to the outrages of the rioters, in the course of which one of them was killed, they became still more exasperated and more violent, till the magistrates thought it necessary to require the assistance of a considerable armed force, which was promptly assembled, consisting at first principally of Local Militia and Volunteer Yeomanry, to whom were added above 400 special constables; the rioters were then dispersed, and it was hoped that the disturbances had been by these means suppressed.

Before the end of the month of November, however, the outrages were renewed, they became more serious, were more systematically conducted, and at length the rioters began in several villages, where they destroyed the frames, to levy, at the same time, contributions for their subsistence, which rapidly increased their numbers, and early in December the outrages were in some degree extended into Derbyshire and Leicestershire, where many frames were broken.

In the mean time, a considerable force both of infantry and cavalry had been sent to Nottingham, and the commanding officer of the district was ordered to repair thither; and in January, two of the most experienced police magistrates were dispatched to Nottingham, for the purpose of assisting the local authorities in their endeavours to restore tranquillity in the disturbed districts.

The systematic combination, however, with which the outrages were conducted, the terror which they inspired, and the disposition of many of the lower orders to favour rather than oppose them, made it very difficult to discover the offenders, to apprehend them, if discovered, or to obtain evidence to convict those who were apprehended of the crimes with which they were charged. Some, however, were afterwards proceeded against at the Spring Assizes at Nottingham, and seven persons were convicted of different offences, and sentenced to transportation.

In the mean time acts were passed for establishing a police in the disturbed districts, upon the ancient system of watch and ward, and for applying to the destruction of stocking frames the punishment before applied by law to the destruction of other machinery.

The discontent which had thus first appeared about Nottingham, and had in some degree extended into Derbyshire and Leicestershire, had before this period been communicated to other parts of the country. Subscriptions for the persons taken into custody in Nottinghamshire were solicited in the month of February at Stockport, in Cheshire, where anonymous letters were at the same time circulated, threatening to destroy the machinery used in the manufactures of that place, and in that and the following months attempts were made to set on fire two different manufactories. The spirit of disorder then rapidly spread through the neighbourhood, inflammatory placards, inviting the people to a general rising, were dispersed, illegal oaths were administered, riots were produced in various places, houses were plundered by persons in disguise, and a report was industriously circulated, that a general rising would take place on the first of May, or early in that month.

This spirit of riot and disturbance was extended to many other places, and particularly to Ashton under-Line, Eccles, and Middleton; at the latter place the manufactory of Mr. Burton was attacked on the 20th of April, and although the rioters were then repulsed, and five of their number were killed by the military force assembled to protect the works, a second attack was made on the 22d of April, and Mr. Burton's dwelling house was burnt before military assistance could be brought to his support; when troops arrived to protect the works, they were fired upon by the rioters, and before the rioters could be dispersed, several of them were killed and wounded; according to the accounts received, at least three were killed and about twenty wounded.

On the 14th of April riots again prevailed at Stockport; the house of Mr. Goodwin was set on fire, and his steam-looms were destroyed. In the following night a meeting of rioters, on a heath about two miles from the town, for the purpose, as supposed, of being trained for military exercise, was surprised and dispersed; contributions were so levied in the neighbourhood, at the houses of gentlemen and farmers.

About the same time riots also took place at Manchester, and in the neighbourhood; of which the general pretence was the high price of provisions. On the 20th and 27th of April the people of Manchester were alarmed by the appearance of some thousands of strangers in their town, the greater part of them however disappeared on the 28th; part of the local militia had been then called out, and a large military force had arrived, which it was supposed had over-awed those who were disposed to disturbance. An apprehension, however, prevailed, of a more general rising in May, and in the neighbourhood of the town many houses were plundered. Nocturnal meetings for the purpose of military exercise were frequent; arms were seized in various places by the disaffected; the house of a farmer near Manchester was plundered, and a labourer coming to his assistance was shot.

The manner in which the disaffected have carried on their proceedings, is represented as demonstrating an extraordinary degree of concert, secresy, and organization. Their signals were well contrived and well-established, and any attempt to detect and lay hold of the offenders was generally defeated.

The same spirit of riot and disturbance appeared at Bolton in-the-Moors. So early as the 6th of April, intelligence was given, that at a meeting of delegates from several places it had been resolved, that the manufactory at West Haughton, in that neighbourhood, should be destroyed, but that at a subsequent meeting it had been determined, that the destruction of this manufactory should be postponed. On the 24th of April, however, the destruction of this manufactory was accomplished. Intelligence having been obtained of the intended attack, a military force was sent for its protection, and the assailants dispersed before the arrival of the military, who then returned to their quarters; the rioters taking advantage of their absence, assailed and forced the manufactory, set it on fire, and again dispersed before the military could be brought again to the spot.

Symptoms of the same spirit appeared at Newcastle-under-Lyne, Wigan, Warrington, and other towns; and the contagion in the mean time had spread to Carlisle and into Yorkshire.

In Huddersfield, in the west riding of

Yorkshire, and in the neighbourhood, the destruction of dressing and shearing machines and shears began early in February; fire-arms were seized during the course of March, and a constable was shot at in his own house. In March a great number of machines belonging to Mr. Vicarman were destroyed, and in April the destruction of Bradley mills, near Huddersfield, was threatened, and afterwards attempted, but the mills were protected by a guard, which defeated the attempt. About the same time the machinery of Mr. Rhodes' mill at Tentwistle, near to Stockport, was utterly destroyed, and Mr. Horsfall, a respectable merchant and mill-owner, in the neighbourhood of Huddersfield, was shot about six o'clock in the afternoon, in broad day-light, on the 28th of April, returning from market, and died on the 30th of the same month.

A reward of 2,000*l.* was offered for the discovery of the murderers, but no discovery has yet been made, though it appears that he was shot by four persons, each of whom lodged a ball in his body; that when he fell, the populace surrounded and reviled him, instead of offering assistance, and no attempt was made to secure the assassins, who were seen to retire to an adjoining wood. Some time after a young woman was attacked in the streets of Leeds, and nearly murdered, her skull being fractured; and the supposed reason for this violence was an apprehension that she had been near the spot when Mr. Horsfall was murdered, and might therefore be able to give evidence which might lead to the detection of the murderers.

The town of Leeds had for some time before been much alarmed by information that attacks were intended to be made on places in the town and its neighbourhood, which induced the magistrates to desire a strong military force, and to appoint a great number of respectable inhabitants of the town special constables, by which means the peace of the town was in a great degree preserved.

Early, however, in the morning of the 24th of March, the mills of Messrs. Thompsons, at Rawdon, a large village about eight miles from Leeds, was attacked by a large body of armed men, who proceeded with great regularity and caution, first seizing the watchman at the mill, and placing guards at every neighbouring cottage, threatening death to any who should attempt to give alarm, and then forcibly entering the mill, they completely destroyed the machinery. In the following night, notwithstanding the precautions adopted, the buildings belonging to Messrs. Dickinsons, in Leeds, were forcibly entered, and the whole of the goods there, consisting principally of cloths, were cut to pieces. Many other persons in Leeds were threatened with similar treatment, and the proceedings at this place are represented to have had for their object the destruction of all descriptions of goods prepared otherwise than by manual labour.

At Leversedge, near Hockmondwicke, which is in the neighbourhood of the Moors dividing Lancashire and Yorkshire, an attack was made early in the morning of the 12th of April by a body of armed men, represented to have been between two and three hundred in number, on a valuable mill belonging to Mr. Cartwright. The mill was defended with great courage by Mr. Cartwright, the proprietor, with the assistance of three of his men and five soldiers, and the assailants were at length compelled to retire, being unable to force an entrance into the mill, and their ammunition probably failing. Two of the assailants were left on the spot desperately wounded, and were secured, but died of their wounds. Many others are supposed to have been also wounded, and information was afterwards obtained of the death of one of them. When the assailants retired, they declared a determination to take Mr. Cartwright's life by any means. One of the wounded men who was left on the spot was only nineteen years of age, and son of a man in a respectable situation in the neighbourhood; but neither this man nor the other prisoner would make any confession respecting their confederates in this outrage. The neighbouring inhabitants, who assembled about the mill after the rioters had retired, only expressed their regret that the attempt had failed. A vast concourse of people attended the funeral of the young man before described, who died of his wounds; and there was found written on walls in many places, "Vengeance for the blood of the innocent."

The threats against Mr. Cartwright's life were attempted to be put into execution on the 18th of April, when he was twice shot at in the road from Huddersfield to Rawfold. About the same time a shot was fired at a special constable on duty at Leeds, and a ball was fired at night into the house of Mr. Armitage, a magistrate in the neighbourhood, and lodged in the ceiling of his bed-room. Colonel Campbell also, who commanded the troops at Leeds, was shot at in the night of May 8, upon returning to his own house, by two men, who discharged their pieces at him within the distance of twenty yards, and immediately after a third shot was fired, directed towards the room usually occupied by colonel Campbell and his family.

At Horbury, near Wakefield, valuable mills were attacked on the 9th of April by an armed body, supposed to consist of 300 men. The machinery and considerable property were destroyed. The men who committed the outrage were seen on the road between Wakefield and Horbury, marching in regular sections, preceded by a mounted party with drawn swords, and followed by the same number of mounted men as a rear guard. They were supposed to have assembled from Huddersfield, Duesbury, Hickmondwicke, Guildersome, Morley, Wakefield, and other places.

In many parts of this district of country the well-disposed were so much under the influence of terror, that the magistrates were unable to give protection by putting the Watch and Ward Act in execution, and the lower orders are represented as generally either abettors of, or participators in, the outrages committed, or so intimidated, that they dared not to interfere.

At Sheffield the storehouse of arms of the local militia was surprised in the month of May, a large proportion of the arms were broken by the mob, and many taken away. This disturbance, however, seems to have been followed by no further consequences, and the remainder of the arms were secured.

But during the months of May and June depredations of different kinds, and particularly the seizure of arms, continued to be nightly committed in other parts of Yorkshire; and it is represented, that in the neighbourhood of Huddersfield and Birstall the arms of all the peaceable inhabitants had been swept away by bands of armed robbers. In consequence of these outrages the vice-lieutenant of the West Riding, the deputy lieutenant, and magistrates, assembled at Wakefield on the 11th of June, and came to a resolution, "That the most alarming consequences were to be apprehended from the nightly depredations which were committed by bodies of armed men." At the same time this remarkable circumstance was stated, that amongst one hundred depositions taken by the magistrates of the facts of robberies committed, there was only one as to the perpetrator of the crime.

During the latter part of this period, it is represented that nightly robberies of arms, lead, and ammunition, were prevalent in the districts bounded by the rivers Air and Calder, and that the patroles which went along both banks of the Calder, found the people in the ill-affected villages up at midnight, and heard the firing of small arms at short distances from them, through the whole night, to a very great extent, which they imagined proceeded from parties at drill. In the corner of Cheshire touching upon Yorkshire and Lancashire, in the neghbourhood and to the eastward of Ashton, Stockport, and Moultram, nocturnal meetings were more frequent than ever, and the seizure of arms carried on with great perseverance. Peculiar difficulties are stated to exist in this quarter from the want of magistrates.

Your committee have not thought it necessary to detail, or even to state, all the outrages which have been committed in different parts of the country, but have selected from the great mass of materials before them, such facts only as appeared to them sufficient to mark the extent and nature of those disturbances.

The causes alleged for these destructive proceedings have been generally the want of employment for the working manufacturers, a want, however, which has been the least felt in some of the places where the disorders have been most prevalent, the application of machinery to supply the place of labour, and the high price of provisions; but it is the opinion of persons, both in civil and military stations, well acquainted with the state of the country, an opinion grounded upon various information from different quarters now before your committee, but which, for obvious reasons, they do not think proper to detail, that the views of some of the persons engaged in these proceedings have extended to revolutionary measures of the most dangerous description.

Their proceedings manifest a degree of caution and organization which appears to flow from the direction of some persons under whose influence they act; but it is the opinion of a person, whose situation gives him great opportunities of information, that their leaders, although they may possess considerable influence, are still of the lowest orders; men of desperate fortunes, who have taken advantage of the pressure of the moment, to work upon the inferior class, through the medium of the associations in the manufacturing parts of the country.

The general persuasion of the persons engaged in those transactions appear, however, to be, that all the societies in the country are directed in their motions by a Secret Committee, and that this Secret Committee is therefore the great mover of the whole machine; and it is established by the various information to which the committee has before alluded, that societies are formed in different parts of the country; that these societies are governed by their respective secret committees; that delegates are continually dispatched from one place to another, for the purpose of concerting their plans; and that secret signs are arranged, by which the persons engaged in these conspiracies are known to each other. The form of the oath or engagement administered to those who are enlisted in these societies, also refers expressly to the existence of such secret committees.

The object of this oath is to prevent discovery, by deterring through the fear of assassination those who take it from impeaching others, and by binding them to assassinate those by whom any of the persons engaged may be impeached.—These oaths appear to have been administered to a considerable extent; copies of them have been obtained from various quarters, and though slightly differing in terms, they are so nearly the same, as to prove the systematic nature of the concert by which they are administered.

The oath itself is of so atrocious a nature, that your committee have thought it right to insert the form, as it appears in one of those copies:—

'I *A. B.* of my own voluntary will, do 'declare and solemnly swear, that I never 'will reveal to any person or persons under 'the canopy of heaven, the names of the 'persons who compose this Secret Com'mittee, their proceedings, meeting, places 'of abode, dress, features, connections, or 'any thing else that might lead to a dis'covery of the same, either by word or 'deed, or sign, under the penalty of being 'sent out of the world by the first brother 'who shall meet me, and my name and 'character blotted out of existence, and 'never to be remembered but with con'tempt and abhorrence; and I further 'now do swear, that I will use my best 'endeavours to punish by death any trai'tor or traitors, should any rise up amongst 'us, wherever I can find him or them, 'and though he should fly to the verge of 'nature, I will pursue him with increasing 'vengeance. So help me God, and bless 'me to keep this my oath inviolable.'

The military organization carried on by persons engaged in these societies, has also proceeded to an alarming length; they assemble in large numbers, in general by night, upon heaths or commons, which are numerous and extensive in some of the districts where the disturbances have been most serious; so assembled, they take the usual military precautions of paroles and countersigns; then muster-rolls are called over by numbers, not by names; they are directed by leaders sometimes in disguise; they place sentries to give alarm at the approach of any persons whom they may suspect of meaning to interrupt or give information of their proceedings; and they disperse instantly at the firing of a gun, or other signal agreed upon, and so disperse as to avoid detection. They have in some instances used signals by rockets or blue lights, by which they communicate intelligence to their parties.

They have procured a considerable quantity of arms, by the depredations which are daily and nightly continued; they have plundered many places of lead for the purpose of making musket-balls, and have made some seizures of gunpowder.

Their progress in discipline appears from the representation before given of the two attacks upon the mills of Rawdon and Henbury; and the money, which has been in many instances obtained by contribution or plunder, answers the purpose of support, and may serve as an inducement to many persons to engage in these disturbances.

The system of intimidation, produced not only by the oaths and engagements before mentioned, or by threats of violence, but by the attack and destruction of houses and factories, by actual assassination in some instances, and attempts at assassination in others, under circumstances which have hitherto generally baffled all endeavours to discover and bring to justice the offenders, all tend to render these proceedings greatly alarming to the country. In many parts, the quiet inhabitants consider themselves as enjoying protection only as far as the military force can extend its exertions, and look upon the rest of the country, where the disturbances take place, as at the mercy of the rioters.

The legal proceedings at Nottingham, checked the disposition to disturbance in that quarter, but this effect did not extend to other parts of the country; and though the proceedings under the special commissions since issued, and the convictions and executions at Lancaster and Chester appear to make a considerable impression, they have been far from restoring peace and security to the disturbed districts.

A great military force has been assembled; the local militia has been in many places called out, and has done good service; the yeomanry corps have been active and highly useful. Many of the magistrates have zealously exerted their powers, some of them at great personal hazard. In many places great numbers of special constables have been appointed from amongst the more respectable inhabitants, and the Watch and Ward Act has been in some places put in force, though attempted without effect in others, or abandoned from circumstances already stated. All these efforts have proved insufficient effectually to put down the spirit of disturbance: and it is therefore the decided opinion of your committee that some further measures should be immediately adopted by parliament for affording more effectual protection to the lives and properties of his Majesty's subjects, and for suppressing a system of turbulence and disorder which has already proved destructive of the tranquillity, and highly injurious to the property and welfare of some of the most populous and important districts of the country, and which unless effectually checked, may lead to consequences still more extensive and dangerous.

Mr. Palmer's Per-Centage Bill.] The Earl of *Moira* moved the order of the day for the third reading of this Bill.

The Earl of *Liverpool* could not suffer the opportunity to pass, without declaring his decided opposition to the Bill. It proceeded upon the foundation of a supposed agreement. There was no such agreement; except that which connected the Per-Centage with the discharge of the duty. Mr. Palmer had put an end to that by his misconduct. This misconduct had been justified upon the ground of irritation; but Mr. Palmer's irritation was one which continued for two years. This claim, too, was now brought forward after Mr. Pitt's death, who had by his conduct, in opposing the claim in the House of Commons, shewn that he who best knew the circumstances did not think the claim well founded. He concluded by moving, "that the Bill be read a third time this day three months."

Lord *Erskine* supported the Bill. Whatever Mr. Palmer's misconduct might have been, one thing was clear, namely, that it did not impeach his integrity; this was declared by the post masters general, in evidence, who were the accusers of Mr. Palmer. The House surely had nothing to do with the squabbles which were perpetually happening with an office, jealous of Mr. Palmer's reform, and Mr. Palmer himself, who perhaps was too warm and irritable. If the House believed a bargain had been made, they were bound to see it fulfilled; for his part, he was decidedly of opinion, that Mr. P. was fully entitled to what he claimed.

The Earl of *Harrowby* said, that there was not a tittle of evidence to shew that there was any agreement, independent of the discharge of the duties of the office; and there was no attempt to shew that there was any other agreement. He had seen the noble and learned lord (Erskine) in the situation of the highest legal authority of that House, and he might see him in that situation again: but in the middle state in which the noble and learned lord was at present, he appeared but darkly wise. The merits of Mr. Palmer had already been amply rewarded.

Lord *Erskine* admitted that the Bill was not drawn with the utmost precision; but he attended to the essentials of the case, and gave his conscientious opinion, biassed, perhaps, by the opinion he had given on it while at the bar, but perfectly conscientious.

The Earl of *Lauderdale* said, that his noble and learned friend certainly owed no apology to the House for being biassed by his former opinion—for he now gave one diametrically opposite—the opinion of Mr. Thomas Erskine was, that Mr. Palmer's claim was well founded, provided there was no forfeiture from misconduct. There was misconduct; and therefore the claim had no foundation. There was no agreement, and to give this sum of money to Mr. Palmer was a waste of the public money. He deprecated the passing of this Bill too, on account of the precedent which it would establish, for appeals to parliament by projectors against the just decisions of the officers of the treasury. His noble and learned friend had spoken twice. He wished he had spoken four times, that their lordships might see how very bad that cause was in favour of which he, with all his great abilities, could say so little.

The Earl of *Moira* noticed the arguments which had been severally adduced. There was no obvious connection between the dismission of Mr. Palmer from his place in the Post-office, and the refusal of his per centage. The plan was fixed upon by Mr. Palmer himself, not as a reward of his exertions, but as a means of ensuring the successful progress of his plan. All the post-officers of that day were almost positively pledged against it; and leaving it to their care, would be leaving it to those who have since continued the opposition to his claims. The noble earl, after traversing the usual ground on the subject, finished a very animated speech, by appealing to the House on the duties which placed them there—the importance of doing justice for justice's sake, and the necessity of shewing to the people, that the House was not the tool of a minister.

Lord *Ellenborough* very animatedly contended in favour of the amendment. Mr. Palmer had forfeited his agreement, and these were not times to make lavish expenditure of the public money. The sum granted in this case without justice was more than the reward of a Marlborough, a Nelson, or a Wellington.

Lord *Mountjoy* argued warmly in favour of Mr. Palmer's claims. He was of opinion, that gentleman had been most unhandsomely treated from the first: left to struggle with all the old officers of the establishment which he had reformed, and destitute of power to controul them, what could be expected, but a succession of disputes. Mr. Palmer was so well aware of this, that he particularly insisted on an appointment for life, and from which he could not be dismissed but by process of law. Such appointment was made out for him, by the acknowledgment of Mr. Pitt, in the evidence on their lordships' table, but it was withheld for a time until an act of parliament could be passed to render it legal; and in the meanwhile, a different appointment was given Mr. Palmer, under which, owing to some misunderstanding, he was dismissed. He maintained, that as Mr. Palmer had stipulated for a life appointment, and the government had received his plan with that misunderstanding, that on any quarrel, they were bound to proceed with him as if he had possessed such appointment, and bring the case before a court, for a regular decision; if they had made that constitutional appeal, and Mr. Palmer's dismissal had resulted from it, then there would have been an end of the matter. But no! the government chose to take the law into their own hands; to be judge, jury, and plaintiff also; a proceeding at issue with every principle of justice. What he would ask, did Mr. Palmer's misconduct amount to? He was plagued, vexed, and thwarted; and he wrote some angry letters, which any other might have done, under similar circumstances. As to his personal integrity, that was not attempted to be called in question. Let the House look to the evidence in their hands. They would see there that the postmasters general, who were the accusers of Mr. Palmer, make a voluntary declaration, much to their honour, "that they never had reason in the smallest degree whatever, to doubt Mr. Palmer's integrity; and that they desired to be understood, that Mr. Palmer's personal interest could not be at all implicated in any thing of which they complained." One of the postmasters general (lord Walsingham) was then present, who would say, if he had mistated him. In short, the case was the plainest that ever was discussed: if the government disapproved of Mr. Palmer as an officer, they had a right to dispense with his further services; but they had no right whatever to refuse paying him the annual price which they had agreed to pay him for his improvement. Mr. Palmer only claimed a fortieth part of what he had put the country into possession of, and he had an undoubted right to it.

The Earl of *Hardwicke* stated, that for want of that attention which was due to bills of such importance, where the grant would consequently be freed from taxes, which was not intended, he should feel inclined to support the amendment.

The Duke of *Sussex* was not actuated by a disposition to support any job; but he thought Mr. Palmer's claim was founded in justice, and therefore it had his support. If the minister were improvident of the public money, and made a grant, he would sustain the grant, but make the minister responsible. Lord Camden's letter, in his mind, justified the inference, that Mr. Pitt did intend to settle the agreement proposed with Mr. Palmer.

The Earl of *Darnley* was convinced that justice was amply on the side of the claims.

The question was then loudly called for, and the House divided, when there appeared—

Non-contents	46	
Proxies	58	—104
Contents	36	
Proxies	62	—98
Majority against Mr. Palmer's claims		6

HOUSE OF COMMONS.

Tuesday, July 14.

Vote of Credit.] The House having resolved itself into a Committee of the whole House, to take into consideration the Message of the Prince Regent,

The *Chancellor of the Exchequer* said, that from the appearance of the House, which was very thinly attended, he expected little opposition would be given to the proposition he was about to make. Indeed, he could hardly conceive a situation of public affairs in which it would be more proper to arm the government with powers to enable them, during the summer, to make vigorous exertions in any quarter in which circumstances might render it necessary. The public were so well aware of the state of things at present, as not to require any particular information on the different points which called for the vigilant superintendance and attention of government. It was known that the British army had penetrated into the centre of Spain; and, under all the circumstances, the necessity of continuing those vigorous efforts, by liberal supplies, which had already produced such signal benefits on the peninsula, was most apparent. It was not his intention to propose to the committee a greater sum than he had mentioned when moving the supplies, namely, 3,000,000*l.*; because he thought, that with the advances already made for the public service, it was as large a sum as would be wanted before parliament met again. Having made good the extraordinaries of the last year and the expenditure of the present, he hoped the military expences would not exceed what had already been voted by parliament. There was one source of expence with which the country had been heretofore burdened, which he hoped would be now, in a great measure, removed. He alluded to the expences of our foreign military establishments, which were greatly increased by the unfavourable state of the exchange. In the last year, owing to this cause, a loss of 2,000,000*l.* had been incurred. In consequence, however, of our renewed intercourse with America, he hoped that evil would be remedied in a very great degree. That the hands of government should be strengthened by this grant, he did not think admitted of any doubt; for, whoever might be intrusted with the management of public affairs, at the present period, must be armed with large powers. The right hon. gentleman concluded by moving for the sum of 3,000,000*l.*

Mr. *Tierney* said, that every farthing of the last vote of credit was applied to military services; supposing, therefore, that the war was continued on the same scale, the present vote of credit would probably be applied to a similar purpose, and what fund would then remain to meet any exigency which might arise out of the state of Europe?

The *Chancellor of the Exchequer* was aware that the last vote of credit had been expended in military services; but it should be recollected, that it went to make good the extraordinaries of the last year. That extraordinary expenditure had been calculated on in the present year, and to provide for it, an additional sum had been voted, which would have the effect of leaving part of the present vote applicable to any emergency.

Mr. *Tierney* unfortunately did not understand the right hon. gentleman. He then reiterated his statement, and enquired whether, under the circumstances stated, the present vote of credit would be sufficient to arm ministers with powers fit to meet any circumstance which might occur in the summer?

The *Chancellor of the Exchequer* said, that having, in the present year, granted two millions, under the head of "Extraordinaries," more than in the preceding year, they must, in the ordinary course of things, have two millions to spare.

Lord *Castlereagh* said, that as no subsidy was last year granted to Spain, every assistance which had been given to our allies there, had been defrayed by the vote of credit.

Mr. *Tierney* observed, that if every expence connected with the peninsula, and all other contingencies, were to be defrayed from the vote, not a shilling would be left for the service of any other part of Europe.

Lord *Castlereagh* said, if the public exigency required it, parliament might be applied to.

Mr. *Hutchinson* rose in consequence of the assertion made use of by a right hon. gentleman, that the present war was carried on with vigour. From the beginning of the contest to the present time, he could not perceive any vigour, except the vigour of expence. He protested against the mode in which the war was carried on; as he could not entertain any hope that, under such a system, its termination would be favourable.

Mr. *William Herbert* took that opportunity of asking the noble lord, whether he had communicated to the Judge of the Court of Admiralty, the information which he had received from the American minister, within the last few days, respecting the repeal of the Berlin and Milan Decrees? He considered this communication of the highest importance to the American merchants, the seizure of whose vessels was now a matter of investigation in the Admiralty Court—their vessels having been seized subsequent to the repeal of the French Decrees, as appeared by the document to which he alluded.

Lord *Castlereagh* said, that the paper referred to by the hon. gentleman had certainly been sent to the Judge of the Admiralty-Court. It remained with the Court, however, to decide upon the evidence which might be adduced before them, whether the Berlin and Milan Decrees had in reality been repealed at the time stated or not. It was not the province of his Majesty's ministers to give an opinion: the whole of the facts would be before the Court; and no doubt their decision would be perfectly consistent with justice.

Mr. *Herbert* observed, that the question was not of a limited nature, but extended generally to the policy of the Orders in Council. If those Orders were not of a retaliatory nature, they were null and void; if all cause for retaliation had ceased, they must of course be considered completely nugatory; and where seizures had been made, under their authority, restitution should of consequence be made.

Sir *W. Scott* said a few words in support of the expediency of awaiting the judgment of the Court of Admiralty, which, he said, would be guided by the strictest justice towards all parties.

Mr. *Brougham* said, that the adoption of any step which was not of a conciliatory nature towards America, would be exceedingly pernicious. For his own part, under existing circumstances, he was an enemy to all discussions upon this topic, and thought he should be acting the best part towards both countries, by abstaining henceforth from opening his mouth on the subject.

The question for the Vote of Credit was then put, and agreed to.

CASE OF CAPTAIN KING.] Lord *Folkestone* rose, in pursuance of his notice, to call the attention of the House to the case of captain King. In submitting a motion upon the case of this gentleman he felt considerable regret, for several reasons: first, because he was of opinion, that individual cases of this description were seldom considered of sufficient importance to occupy the serious attention of the House; but, principally, because he felt that, at the present crisis, and at a period when the finances of the country were in such a state of embarrassment, any claim of a pecuniary nature should be listened to with considerable jealousy. The case of captain King, however, was one of such peculiar hardship and injustice, that he had every reason to believe the House would concur with him in believing that they could not better discharge their duty towards themselves and the country, than by listening to his demands, and by doing something towards remunerating him for his arduous and meritorious services. He hoped he should not hear in the House similar observations to those which were circulated abroad, and that he should not be told that captain King had precluded himself from all advantage which he had reason to expect from the generosity of the crown, because he had presumed to submit his grievances to parliament. The fact was, that captain King did not determine to submit his case to the House, until he found that the most assiduous applications elsewhere were wholly useless. The noble lord wished here to observe, that the case of captain King was in no respect connected with that of sir Home Popham: it was wholly confined to its own merits, and whatever prejudices might be entertained in taking a view of it, if connected with the case of sir H. Popham, he trusted would be completely dissipated by this declaration. The noble lord then proceeded to recapitulate all the circumstances attending the case to which he alluded: adverting first to the expedition to the Cape of Good Hope, under the command of sir Home Popham, who had thought proper, although not appointed a commodore, to promote lieut. King to the rank of captain. He next alluded to the expedition to Buenos Ayres, and to the meritorious and gallant exertions of captain King, both at sea as a captain of the Diadem, and on shore as the commander of a body of troops: and in taking a review of all these circumstances he contended that captain King having been thus appointed, was fully entitled to a captain's share in the prize-money which was allowed for the capture of Buenos Ayres. This, however, had been refused him, upon the ground that as sir Home Popham had not been regularly appointed a commodore, he had not the power to raise him to the rank of captain. The noble lord then urged a variety of ingenious arguments in favour of captain King's claims, contending, that as he had performed all the services of a captain, had incurred all the responsibility, and had afterwards received the confirmation of his commission from the Admiralty, that he was fully entitled to share according to the rank he held. His lordship concluded by moving—"That the Papers laid before the House, on the 28th April and 1st May, should be referred to the consideration of a committee of the whole House."

The *Speaker* observed, that the noble lord must be aware that there was a standing order which precluded the possibility of submitting any question to a committee which involved the consideration of remuneration to any individual, unless recommended from the crown.

Lord *Folkestone* said, that his motion did not bear upon the face of it any allusion to remuneration whatever.

The *Speaker* remarked, that the whole of the noble lord's speech went to establish the claim of captain King to remuneration, and unless he could so frame his motion as to avoid that construction, it could not be entertained by the House.

After some farther observations from the noble lord, he amended his motion by moving, "That the papers already mentioned be referred to a committee, to enquire into the conduct of those who had advised the form of warrant for the division of prize money for the capture of Buenos Ayres."

Sir *W. Scott* said, he was only induced to oppose the claims of captain King, from an imperious sense of duty. It could be no secret that sir Home Popham was sent out to the Cape of Good Hope, from whence he went on an expedition to Buenos Ayres, preparatory to which he made some arrangments in the way of promotion, for the advantage of the public service. Those promotions had, however, been declared null by a court of justice, and it was well known that the law regarding the distribution of prize-money, distinctly enacted, that no persons could share beyond the rank they held under general orders, whatever might be the arrangements of the commanders under whom they served. The right hon. gentleman after some further observations upon the law respecting prize-money, said, that by those laws, however reluctant he might feel to oppose captain King's claims, he was bound by his duty to give a negative to the motion which had been submitted by the noble lord.

Mr. *Hutchinson* was convinced, even from what had fallen from the learned judge, that, had the documents now before the House been brought in evidence into his court, the judgment would have been very different. He thought that captain King had been treated with great severity; while, on the other hand, every indulgence had been shewn to sir Home Popham. He acknowledged the merit of that officer; but captain King had also distinguished himself during the present war in all parts of the world, and deserved to be treated in a manner equally favourable. The hon. gentleman concluded by supporting the motion.

Captain *Beresford* knew the details attending sir Home Popham's expedition; that gallant friend of his was well aware that he was sailing without a commodore's commission, but was only to assume the rank in case of the absence of a senior officer. Captain King was also aware of that circumstance; and such were his doubts, in consequence, that, previous to sailing, he had asked sir Home Popham whether or no he should get his regimentals as captain? This he had from captain King himself. This circumstance of want of legal rank was utterly unknown to sir David Baird, who commanded at the Cape of Good Hope, and was prevailed upon by sir Home Popham to embark some troops, for an expedition against Buenos Ayres. He would not, however, send the troops without a responsible land officer, and he made choice of general Beresford, who, in point of fact, was senior to sir Home Popham. He would state no more in sir Home's absence; he had for him the greatest regard; but he was sure that no officer in the navy had ever acted in a similar manner in similar circumstances.

Lord *Castlereagh* observed, that the whole subject had been so satisfactorily explained by the right hon. and learned judge, that there remained but little for him to say; he would observe, however, that the House could not too soon come to a resolution. They ought not to encourage those private unfounded applications, unless indeed they were determined to become a court of appeal from all the courts in the kingdom. He did not mean by that to curtail the right of petitioning, but it should be exercised only when the proper tribunals had neglected doing justice. In the present instance, the House ought to be even more cautious than in any other, for were they to interfere with the navy and army, there was no knowing where the evil would stop; they would put a stop to all subordination, and infringe on the privileges of the crown. After briefly recapitulating the different points of the case, his lordship said he should vote against the motion.

Mr. *Bastard* said, that as the House was open to petitions against all grievances, and had the paramount authority to redress them, he should vote for the motion.

Mr. *Dent* was of opinion, that all difference of opinion might be done away in a committee.

The motion was negatived without a division.

Flogging in the Army.] Mr. *Bennet* asked an hon. gentleman opposite whether or no orders had been issued to prevent men unable to undergo at once the number of lashes to which they had been condemned, from being brought a second time under the halbert?

Mr. *Manners Sutton* replied, that no such order had been issued, nor had he been asked his opinion as to the propriety of adopting such a change. He had before declared, in that House, that no man ought to be liable to more lashes at one time than he could bear; but this declaration did not warrant the interpretation put upon it by the hon. gentleman. He did not wish to prejudge the question as to men being flogged a second time; he only wished to state, correctly, the opinion he had announced, and to declare at the same time, that no such order as alluded to by the hon. gentleman had been issued, or was, he believed, in contemplation.

Case of Mr. St. John Mason.] Mr. *Sheridan* maintained, that that mode of inflicting punishment was the most cruel, atrocious, and unjustifiable, that could be devised.—Here the right hon. gentleman was reminded by the Speaker, that there was no question before the House.

Mr. *Sheridan* observed, however, that he could very easily bring himself into order again, by introducing his motion relating to Mr. St. John Mason, and which was perfectly analagous to the subject of unjust and cruel punishments. The noble lord opposite had objected, on a former occasion, to the House entertaining complaints of this kind, and perhaps he might object to his motion on the same grounds. He could not, however, conceive an objection less founded; for it was one of the first duties of the House to listen to complaints of grievances; and they had a standing committee appointed for that very purpose. There was, however, a great difference between his motion and that relating to captain King. In the last case, complaints were made only of a loss of money; but in the case of Mr. St. John Mason, the loss of property had been attended with personal injury, and defamation of character. It was that last circumstance which had principally inspired him with that unshaken perseverance with which he had sought for redress. Here the right hon. gentleman read a letter from Mr. William Hoare Hume, member for Wicklow, recommending Mr. Mason's case to Mr. Grattan's consideration, as he was himself unable to attend his parliamentary duty. The right hon. gentleman had known nothing of Mr. St. John Mason before; but some complaints having been made to him, of the abuses practiced in the Irish gaols, and Mr. Mason having written a pamphlet on the subject, from his own experience, this brought them acquainted together. Here the right hon. gentleman entered into an account of the enormous abuses and unparaleled oppression practised in Irish gaols, which, however, much to their honour, government had sought to remove. On a motion of his, grounded on the information he had received, from Mr. St. John Mason, a commissary had been appointed to inspect all gaols throughout the country. Some abuses had already been removed, and further amendments were expected. The right hon. gentleman then came to the Report, which was the subject of his motion, and he maintained, that it would have been a reflection on the House, if, after an enquiry had been, on their recommendation, ordered by the Prince Regent, the result of it had not been brought before them. This Report, addressed to lord Hardwicke, on whom the right hon. gentleman passed a high encomium, had been transmitted by the duke of Bedford, accompanied with a letter. This Report, the production of a Mr. Townsend, who had been principally engaged in Mr. Mason's arrestation, was, however, a most curious production. It detailed the grounds on which Mr. Mason had been arrested, those under which he had been detained, and his behaviour while under confinement. It was well worth attending, at first, the grounds on which he had been arrested. Mr. Mason lodged at a respectable boarding-house at Seapoint, within four miles of Dublin; and he had been arrested because he had been too late to dinner. The Report stated, that from that delay in attending his meals, although no proofs could be adduced that he had had any communication with the rebels in Dublin, yet, owing to the fermented times, it was strongly to be suspected. Mr. Mason was also acquitted in the Report, of having had any part in the murders which took place in Dublin on the 23d of July; but as he had the night after slept in St. James's-street, near the scene of action, this formed another strong ground of suspicion. Another charge against Mr. Mason was contained in the anonymous copy of a lost original of a letter produced by Mr. Flint, as a justification for the arrest of that gentleman.—(Here the right hon. gentleman read the letter, which contained the charges against Mr. Mason, of having associated much with the Irish rebels, and being one of a treasonable committee held in Exchequer-street; with having been at Tenby, Liverpool, the Hague, Coblentz, &c. for treasonable purposes. The names of persons were marked by stars, on which Mr. Sheridan commented with much humour.) Every word of these accusations was directly false, for Mr. Mason had never been at any of the places mentioned in this anonymous letter. The fact was, that Mr. Mason had been troublesome, by complaining to every successive Secretary of State of the detestable and inhuman manner in which the prisoners had been treated, and his object was, to obtain an opportunity of replying to the falshoods by which his character had been aspersed, by appealing to the justice of parliament. The right hon. gentleman concluded by moving, "That a Select Committee be appointed to take into consideration the Report of the lord lieutenant of Ireland, relative to the case of Mr. St. John Mason, and that Mr. Mason be heard before the said Committee."

Lord *Castlereagh* said, that he was wholly unprepared to travel through the extent of matter which the right hon. gentleman had gone through, and which could not have been expected from the notice he had given. He thought it was not perfectly fair to give such a high colouring to the abuses complained of in the prisons, when those abuses had been long since removed, and were altogether unconnected with the motion before them. The noble lord then went into the complaints preferred by Mr. Mason, which, he contended, were in a great measure unfounded, particularly those against Dr. Trevor, whom the letter of chief justice Downes completely exculpated. Every attention had been paid to the complaints made, and redress given where they were well founded. With respect to the particular case before the House, it was obvious on the face of it, that the grounds of arrest could not be made public, without the grossest breach of faith on the part of government; and it was quite unreasonable to expect, after the lapse of eight years, that all the particulars of the case should be gone into, when there had been three lord lieutenants, seven secretaries, and three attornies-general, in that space, in Ireland. The conduct of Mr. Mason could be traced during his confinement which greatly aggravated his guilt; for he had exerted himself to effect the escape of Emmett and Russell, who were confined under the most serious charge that could be brought against them, that of high treason. This alone formed a sufficient ground for the conduct of government. There could be no ground for acceding to the present motion unless there was reason to suppose the conduct of the lord lieutenant had been culpable; and, besides, he might be allowed to say, that Mr. Mason had less right to expect any further proceedings when he had not taken the trouble of going to Ireland while the committee of enquiry was sitting. On all these grounds he felt it his duty to oppose the motion.

Sir *F. Burdett* supported the motion, and contended, that if there was no time when the grounds of accusation were to be made known in cases like the present, they might as well be given over to despotism; or they had better resort to the method formerly prevalent in Venice, of putting accusations into the lion's mouth, by which any person, however innocent, might be denounced on secret anonymous information. The hon. baronet commented on the peculiar severity of Mr. Mason's case and the bad conduct of Dr. Trevor, which, though substantiated on oath before the commissioners, was yet approved of in their Report. He was disposed to acquit lord Hardwicke of all participation in the abuses which had prevailed, but he considered the underlings blameable. He was sorry that the motion did not go to refer the whole Report to a committee of the House, instead of being limited.

Mr. *Robinson* maintained, that the conduct of Mr. Mason after his arrest, sufficiently shewed that there had been grounds for it; nor could he discover any reason for the anxiety shewn by Mr. Mason for the escape of general Russel, except that of sympathy. As for the second part of the charge, relative to the treatment in prison, when complaint was made, inquiry had been instituted. The right hon. gentleman should have done lord Hardwicke the justice to say, that so early as 1804 that enquiry had been made by his lordship's desire, and all the evils complained of had been removed. No possible blame could attach to lord Hardwicke, who, from the moment he heard of any complaint, was most anxious that the cause should be removed.

Mr. *W. Smith* conceived that, in justice, the motion ought to be acceded to. The noble lord had argued on the length of time since these transactions had taken place, but he knew, of his own knowledge that Mr. Mason had been using every exertion for the last three or four years to obtain a hearing; and he also knew, that his not having gone to Ireland arose from a misunderstanding. All the charges against Mr. Mason were unfounded, as to his having been at Dover, Liverpool, Cheltenham, Hamburgh, or the Hague; and no man could say that any credit was to be attached to a letter which contained so many falsehoods. He also could prove, that he had no connection with Emmett for five years; and with respect to every other charge, he only demanded an opportunity of refuting them. He did not pretend to deny, that Mr. Mason had been highly culpable, in endeavouring to effect the escape of prisoners; but at the same time he should have been confined without having any cruelties inflicted on him. The hon. gentleman then enlarged on the criminal conduct of Dr. Trevor, of which he gave several instances, among which he mentioned that of his having suborned a man to swear falsely relative to the bread with which the prison was supplied. He asked them, whether it was too much to grant enquiry? If Mr. Mason failed in his proofs, let it be on his own head, but it was an abominable insult to disregard the complaints of a man because he was irritated from his sufferings. He exculpated lord Hardwicke, but thought enquiry was necessary.

Mr. *Bathurst* said, that the question before the House was not what guilt was imputed to Mr. Mason, but what was the presumptive evidence which made it justifiable in the Irish government to cause him to be arrested. Besides, the cases of Emmett and Russel carried back a degree of confirmatory suspicion with them, which justified the conduct of government. As for the letter which the right hon. gentleman had so humourously commented on, it was not anonymous in any sense but that the name was not given, and the grounds of suspicion were quite sufficient. With respect to the merits of the case, he thought there was no ground for inquiry at the present time.

Mr. *Tighe* supported the motion, and said that Mr. Mason deserved the highest honour for having been the cause of an enquiry into the abuses which prevailed in the prison of Kilmainham.

Mr. *Hutchinson* was disposed to vote for an enquiry into the abuses which had prevailed during the suspension of the law, and he knew no man more entitled to the reputation of innocence than Mr. Mason, from the continued anxiety he had shewn for an investigation into the merits of his case, which was that of a gentleman of liberal profession, honourable connections, and independent property, plunged into a prison for two years, and deprived of all the advantages he possessed. He was decidedly of opinion that the question ought to be entertained, and with that impression would vote for the motion, though it did not go as far as he could wish.

Mr. *Sheridan* shortly replied, and said, that even though the House should refuse his motion, Mr. Mason would have the satisfaction of knowing that his character had been amply vindicated by the testimony of several hon. members.

The House then divided,

For the Motion.................. 11
Against it........................ 51
Majority................. —40

Case of Mr. Fletcher.] Sir *F. Burdett* called the attention of the House to the Petition of Mr. Fletcher, a brewer of Westminster, which he had presented some time since, and which complained of the unwarrantable proceedings of the excise officers, by which he had been totally ruined, his property sold for 140*l.* though he had laid out 5,000*l.* on the premises, and a lease of sixty-two years lost. The sum he had been sued for amounted to 200*l.* which he disputed, and had appealed to the Commissioners and the Treasury in vain, and was therefore compelled to apply to the House for that redress which was denied him elsewhere. The hon. baronet concluded by moving, "That the Petition of Mr. Fletcher be referred to a select committee, to examine the matter thereof, and report the same to the House."

The *Chancellor of the Exchequer* said, that the case before the House was one wholly undeserving their notice, as the person in question exercised the joint trades of a brewer, maltster, and brick-maker, and had been convicted several times for fraudulent practices against the excise laws in each of those capacities, but had been constantly treated with the utmost lenity. The convictions had been confirmed, in every instance, on appeal, and an extent had been issued against him. He looked on the case to be that of a shuffling trader, without capital, endeavouring to make a fortune by evading the excise laws. The right hon. gentleman then read a petition from Mr. Fletcher to the Prince Regent, couched in very strong language, and expressed a hope, that without his making a comment on such unbecoming language, the House would reject the motion.

Sir *F. Burdett* said, in reply, that the right hon. gentleman had not given any answer to the facts stated in the petition, and again commented on the hardships of the case, the consideration of which ought not to be influenced by the petition addressed to the Prince Regent, under the influence of extreme suffering and injury.

Mr. *Wharton* said, that the hon. baronet laboured under a total misconception of the case and of the excise laws, which had been so repeatedly and flagrantly violated by this person, that his own counsel thought it right to abandon his cause before the Commissioners.

The motion was then negatived without a division.

Preservation of the Public Peace Bill.] Lord *Castlereagh* moved the order of the day for going into a committee on this Bill. He proposed to go into the committee merely for the purpose of making some technical amendments, and that the Bill should be re-committed to-morrow.

Mr. *Sheridan* said, he had hoped that the Bill would have been divided. Some parts of the Bill, he believed, were necessary, but there were others which required further consideration.

Lord *Castlereagh* thought that dividing the Bill would only multiply law to confuse the magistrates. He should therefore resist any such proposition.

Mr. *Abercromby* was decidedly of opinion that the Bill ought to be divided.

The House then went into committee.

Lord *Castlereagh* said, that as the law now stood, no man could act as a magistrate who was not possessed of a landed estate of 100*l.* a year in the county in which he resided, and acted as such. He had therefore a new clause to propose to the committee, the purport of which was to give a power to the King to appoint magistrates in the disturbed districts who were not qualified by law. Such persons to remain as magistrates only during the continuance of the Bill.

Mr. *Tierney* said, that this was the most monstrous proceeding of the noble lord's he had ever heard of. The main argument in favour of the Bill had been, that it was not putting the country into the power of the government, but into that of the respectable magistracy of each county so disturbed. The state in the country which the magistrate held by having at least 100*l.* a year of landed estate, formed in the estimation of the public one great feature of his respectability. This, however, was a clause which went to set aside the whole of the respectable magistracy, and put into the commission of the peace men without any property. What was it in fact but putting the whole country into the hands of the noble lord's agents? It altered the whole tenour and nature of the Bill; and he was sure that many gentlemen who last night voted for it, and had since left town, would, if informed of this clause in time to do so, come back and vote against it. It was taking the committee completely by surprize. The noble lord might fancy himself in Ireland, and be inclined to suppose the people of this country in a state of rebellion; but Englishmen were unused to such proceedings. He hoped, therefore, the House would not agree to have the Bill recommitted before Thursday.

Lord *Castlereagh* said, he saw no reason for such a delay. The right hon. gentleman would have an opportunity of objecting to the clause in the committee; another on the report; and again on the third reading of the Bill.

Mr. *Giddy* thought the clause tended to degrade the magistracy, and that at a time when extraordinary powers were to be given to the magistrates. He was therefore afraid it would have a bad effect.

Mr. *Barham* spoke warmly in favour of postponing the committee to Thursday, to give time for the consideration of so extraordinary a clause.

Mr. *Wilbraham Bootle* said, the clause was, in his opinion, open to much discussion, and appeared to be very objectionable; he would, therefore, be for delay.

Mr. *Babington* was of the same opinion.

Lord *Castlereagh* said, as he saw the committee did not view the clause in the same light as he did, he would withdraw it for the present, and propose it, in some other modified form, on the Report.

Mr. Abercromby, Mr. W. Smith, and Mr. Bennet spoke against the clause. Mr. Bathurst defended it.

Mr. *Hutchinson* insisted it was taking the House by surprize to introduce such a clause in the committee, after the Bill having been read a second time, and many members were gone out of town who had voted for the Bill, without having an idea such a monstrous clause would be attempted to be introduced. He was sorry the noble lord should be allowed to withdraw his clause without meeting with the censure of having it negatived.

Some further conversation ensued, after which leave was given to withdraw the clause. The House then resumed, the chairman reported progress, and asked leave to sit again.

WEST INDIA REVENUES BILL.] The *Chancellor of the Exchequer* moved for leave to bring in a Bill for enabling the persons appointed to examine into matters relative to the Revenue of Customs in America and the West Indies, to enquire into the Revenues and Property of the Crown in the West Indies and South America, and for regulating the Fees of Officers of the Customs in America and the West Indies.

Mr. *Browne* could not but feel considerable surprize and regret, that the Chancellor of the Exchequer could feel himself at liberty to introduce a Bill of such importance at this late hour of the night, and at this late period of the session; the objects which it had in view, both upon public and private grounds, demanded more consideration than could be bestowed upon it at this state of the session, when 4-5ths of the House were out of town, and scarcely a business day of the session remained. With respect to the first object, namely, that of regulating the fees of custom-house officers in the West Indies, the right hon. gent. would admit, that as it affected the rights and interests of absent persons, it was a subject of very grave consideration, and ought not to be proceeded upon till an ample opportunity had been afforded to those absent persons of knowing the operations of the Bill, and of stating their objections to it. It ought not to be undertaken too, but upon strong parliamentary grounds; but at present there was no information whatever upon the table of the House to shew, that abuses existed in the custom houses in the West Indies, so as to make regulations necessary, or that the regulation proposed by the Bill, proceeded not merely on grounds of expediency to the public, but upon grounds of justice to those individuals whose rights were to be affected by it; there was no report or paper before the House, to shew the foundation of this proceeding, and surely the House would not proceed in the dark, upon a blind confidence in these commissioners, without any the least opportunity of knowing whether they proceeded upon a just view of all circumstances and considerations connected with such an enquiry, or whether they proceeded to curtail these fees, because they thought that that was the object of their errand, and an acceptable service to their employers. With respect to the other object of the Bill, namely, to enquire into the property of the crown in South America and the West Indies, he could not possibly conceive how an act of parliament could be necessary for the purposes of such an enquiry; why should custom house commissioners be entrusted with such an enquiry? Are there not governors in the different islands competent to make the enquiry? Who more fit than those governors? It is a necesary part of their duty one would think, and could not be delegated to others without some slight or indelicacy, but if it be insisted that commissioners are necessary, there are commissioners of public accounts resident in the West Indies armed with all necessary power to enquire into all public matters, without saddling the country with the expence of an extraordinary board; but the enquiry is scarcely necessary, for his Majesty's ministers have taken upon themselves to commit the whole of the property of the crown in the Dutch settlements, which contains by far the greater part of the crown property, to a certain description of persons in this country forming a company not unlike the old Sierra Leon company, to be by them dealt with, cultivated or not cultivated, preserved or not, at their will and discretion, Upon this part of the subject, much constitutional ground of objection presented itself to his mind, which he would not now press upon the House, as it would more fitly form matter for separate discussion: besides it appeared to him to involve in great risk, the whole system of things in the West Indies, and to have imposed upon the government a great and awful responsibility; but that was a part of the subject also, upon which much remained to be urged at some future period. He mentioned the circumstance now to shew, that there were persons enough in the West Indies to make this enquiry, without detaining an extra set of commissioners there, for that service. Upon the whole, he earnestly entreated that the right hon. gent. would suffer the Bill to lay over till the next session. And in the mean time it was indispensably necessary that he should put upon the table of the House, the report of the commissioners upon which the Bill was founded.

Mr. *W. Smith* vindicated the government in the disposal which they had made of their property, and highly extolled the motives of those who had undertaken the trust.

The *Chancellor of the Exchequer* wished the Bill to be brought in, and assured the hon. member that the report of the commissioners should be laid upon the table, and that the Bill should be printed, and time afforded for its consideration, before the second reading.

Leave was then given to bring in the Bill.

HOUSE OF COMMONS.

Thursday, July 16.

Preservation of the Public Peace Bill.] Lord *Castlereagh* moved the farther consideration of the Report. He said, there had been a mistaken feeling in the House on Tuesday night, that it was the intention of his Majesty's ministers to give magisterial powers to persons not connected with the disturbed counties, or not connected with the landed interest. Government meant no such thing, but merely to consign this authority to the sons of peers, and of persons qualified to sit in parliament, who though not in fact qualified to act, were peculiarly entitled to the confidence of the country.

General *Tarleton* spoke against the Bill, and was proceeding to give a detail of the proceedings in the Irish rebellion, when he was called to order by Mr. Huskisson, who desired the Speaker to read the question.—General Tarleton persisting in his right to allude to Ireland, was again proceeding on that subject, when Mr. Wallace rose to order. General Tarleton said, he would come to the point, which was, whether the noble lord, though he might have courage enough to sink with the Royal George, was fit to guide the state vessel in a storm? He concluded by protesting against the Bill.

The Report was then taken into farther consideration, and the Bill was re-committed.

Mr. *Abercrombie* objected to the clause empowering magistrates to search for arms on surmise and frivolous pretences. Such powers should only be given after information furnished on oath. He recommended the employment of the military rather than the civil power.

Lord *Castlereagh* would not wish the learned gentleman to turn his back on the civil and constitutional power. He allowed that it was proper to entertain a jealousy on the subject of searching for arms, but it should be recollected, that it was not mandatory on the magistrates to exercise this power in every instance, but left to their discretion to employ it only where it might be deemed absolutely necessary.

In case of abuse of this power, the Bill furnished the subject with redress. The noble lord concluded by contending, that if in a period like the present, checks were imposed to encumber the authority of magistrates, they would be enabled only feebly to torment the community, and not to protect it.

Mr. *Bennett* wished to know, what was the precise security against abuse of power in the magistrates: and read several extracts from the proclamations issued during the Irish rebellion, to shew to what excess this power might be carried, and how liable it was to the most extravagant misapplication. The abuses which prevailed in Ireland under similar powers, was enormous. Lord Cornwallis, in his opinion, saved that country, but it was by measures of lenity and mildness. He wished the same course to be pursued here. He thought the powers of the law fully sufficient, and that they had been exercised with sufficient rigour: a woman had been executed as an example to women, and a child as an example to children.

Mr. *Bathurst* thought there was no similitude between abuses which the army might have committed in Ireland, and the powers which were prepared to be vested in the magistracy. As to the good which had been said to have been done by repealing the Orders in Council, he must consider, that the system of robbing houses to get arms had nothing to do with the Orders in Council, but was part of a system of the agitators to break out at some future time against the government. Against such practices, some strong measures were absolutely necessary.

Mr. *Tighe* said, that the act in Ireland entirely failed of the effect it was intended to produce, and the only arms given up were spare arms given by the rebels, in order to save their houses from being burned. He had a high respect for the magistracy of this country, and hardly knew how to oppose any measure that the inhabitants of the disturbed districts should consider necessary to their preservation. He, however, thought great abuses were probable, when a single magistrate might act in this manner on suspicion, or on the information of such a description of spies as were now going abroad.

Mr. *Giles* said, he saw no reason for the distinction of requiring two or more magistrates to sign the warrant in the case of receiving arms, and in not requiring it in the case of the search for arms stolen or collected for improper purposes. He therefore moved, as an amendment to the clause, that instead of giving the power to one justice of the peace, it should be to two or more magistrates in both cases.

Lord *Castlereagh* said, that when it was only to receive arms from those persons in whose houses they were not sufficiently secure, time might be well allowed to apply to two justices; but when a search was to be made for arms stolen, as in many places there were not two in the neighbourhood, it would defeat the very object of the search if there were to be such delay. It was certainly possible, that, with all the care that might be taken, some abuses would take place; but in all those considerations, one must balance the degree of abuses to be apprehended against the advantages to be expected from the adoption of the measure.

Mr. *Tierney* saw no reason for the distinction which was made, except in the case of an immediate pursuit to be made after the robbers who had stolen the arms. But if a magistrate were to grant his warrant merely on general suspicion, or the information of his spies, he thought it would be very useful that he should be required at least to convince some other magistrate that the suspicion was reasonable. When it was considered out of what description of persons constables might be taken to execute these warrants, and that they might take whom they would for their assistants, there was every reason to expect great abuses in acting upon them. An Englishman's house would be no longer his castle. When he was summoned in the dead of the night to open his doors, and give up his arms, he might possibly take the constables party for general Ludd's people, and shoot one of them. He respected highly the magistracy of the country in general, and thought no character more amiable or useful than a man of fortune who spent his time in doing justice among his neighbours gratuitously, and in reconciling their differences. There was a sort of justices of peace, however, for whom he could feel no such respect. There were men of very small fortunes most anxiously soliciting to be made justices, with the view of increasing their personal importance, and recommending themselves to the government as most active magistrates. Their activity would be their recommendation; and the number of people whom they had taken up would be their pride. Now, he did not wish to see this description of justices of the peace armed with so much power; neither did he conceive it safe to arm with it the magistrates of every petty borough town. If the mayor and aldermen of those towns were to have such extensive powers, they might abuse them very much in every ferment arising from an election. He could not approve either of allowing two or more magistrates to determine from what qualified persons arms were to be taken, or from whom they were not to be taken. If a blind man, to be sure, had arms in his house, they might pronounce that he could not make use of them, and might as well give them up; but when the arms were in the possession of a man that had eyes and good health, how could the two magistrates determine whether they were safe or not? What means had they to pronounce upon the courage of each individual, or his power to retain his arms? If the arms were to be taken from a man on the ground of their not being safe, he should conceive that an imputation either to his loyalty or his courage, and the latter imputation might be just as painful to his feelings as the former. He would declare as a member of the Secret Committee, that he did not believe there was any depot of arms made for the purpose supposed; that he did not believe 200 stand of arms had been taken altogether, and that he believed the arms that were stolen were for the purpose of defending the nocturnal depredators in their excursions, and not for the purpose of making war upon the government or the army. He did not believe that what was called drilling among them amounted at all to learning the use of arms or military discipline. Indeed, he learned very little more from being a member of the committee, than he had been informed by the newspapers before; and every new information that he had got, diminished, instead of increasing, the alarm he before felt. He was as well convinced as any man that these nocturnal meetings and destructions of property ought to be prevented, but he did not think it necessary for the prevention of them, that Englishmen should no longer be allowed to conceive their home their castle; at all events, he thought, the ground proposed by his hon. friend (Mr. Giles) would be right, and that it should be left at least to the opinion of two magistrates, before a power so rigorous should be exercised.

Mr. *Bathurst* supported the clause, as being essentially necessary.

Mr. *Wilberforce* approved of the authority being vested in two magistrates, though in other respects thought the clause highly essential.

Sir *G. Warrender* also concurred in thinking the clause in question the essential part of the Bill.

Lord *Castlereagh* contended, that if a single magistrate could not act, but must wait, in all instances, till two magistrates could be found, the hands of the magistrates must be completely tied up, and that it would be better to leave out the clause altogether.

Mr. *Wilbraham Bootle* said, there would be the greatest difficulty in many parts of Lancashire, of getting two magistrates together; and if the clause was so amended it would be totally ineffectual.

Mr. *Hobhouse* also enforced the necessity of vesting the power in one magistrate only.

Mr. *Hawkins Browne* supported the original clause.

Mr. *Martin*, of Galway, also supported it, and observed, that with regard to its operation, nothing unpleasant could result from it, provided no illegal and tumultuary resistance was offered.

Mr. *Sheridan* said, that he certainly did not mean to have offered a word in the committee, reserving his objections against the principle of the Bill, upon the report being brought up; but what he had heard from the hon. gentleman who spoke last, and from other members, induced him to depart from that resolution. His hon. friend who spoke last had maintained that, with regard to the operation of the Bill, there could be no strife where there was no opposition; certainly that was true, and so he might have said that no rape could be committed where there was no opposition. His objections to the clause in question were strong. It went, not only to take the arms from the suspected disloyal, but from the man who was suspected of timidity. The Bill was intended to provide against the forcible seizure of arms; and yet, what did the law in question propose to do? To emulate, to copy, the very crime it condemned. It was empowering its own agents to plunder arms from all who had them in possession. And at what time was it so acting? At a moment when we were told the crisis of our affairs was such, that we ought to be an armed nation! Yet, the government were now trying to make us a disarmed nation. And where was the cause? Did the people for whose sake it was pretended they were legislating, ask it of the government? Did they grovel at the feet of ministers, did they crawl upon their knees before them, and supplicate to be disarmed? Did they say, we are too dastardly to defend ourselves, take from us our arms, for we cannot use them, and keep them in your custody? No! He denied the people of England were yet so base, were yet so degraded! He denied also, that there was any necessity now for the measure at all. He denied it on the face of the Report. The whole business reminded him of the sham plots and conspiracies of 1793. He remembered what were the alarms and fictions of that period. He remembered when it was spread abroad, that vast funds were collected in order to support the disaffected and organize them; and yet, it was proved upon oath at the Old Bailey, that the whole amount of those funds was 9*l.* 15*s.* That was their exchequer. Another report too of a conspiracy at that period he remembered, with all the additions of arms, training, &c. And how did it turn out? Nine tailors and one pike were discovered in a back garret in Tooley-street, in the borough. He recollected, also, that such was the eagerness to find plots at that time, that a magistrate said to him on the occasion, "No young and tender mother ever dwelt with more fondness upon her first-born child, than we did upon that pike!" He could not help expressing his decided objection to the Bill, framed as it was upon the Report of a committee where no evidence was permitted to guide their decision. He would have had every sort of parole evidence; examinations and cross-examinations, full and substantial proof, before the government dared to suspend the constitution of the country. In the worst exigencies of Ireland, no such law as the present was proposed. A power for disarming the people indeed was granted, and so was a certain power to magistrates, but they were somewhat different. He well remembered the discussions at that period. He well remembered the foul and unmanly debates in that House, when it was a question about searching for arms in the women's bed chambers, as to how long a woman might be allowed to dress in, before she opened the door for the officers to search. Some gentlemen proposed seven minutes; he without any great effort of chivalrous feeling, ventured to suggest ten minutes; but the noble lord opposite proposed that a reasonable time should be granted, which was at last carried. That act, however, which originated with his right hon. friend, (Mr. Pole), much to his honour, did not confer any thing like the powers upon magistrates intended to be conferred by the present Bill. No magistrate had power to search for arms upon suspicion, but upon oath; and information was to be transmitted to the lord lieutenant, and an authority from him, or from his chief secretary, was to be granted before the magistrate could act: thus making the executive government responsible.—(Here Mr. Sheridan read one or two of the clauses.) Good God (continued the right hon. gentleman,) compare the two occasions!—Compare the two acts! Compare the provocations in the one country and in the other! He should have thought there was some wisdom in the proceedings of ministers, did there now exist any perils —but they came like sea-gulls, screaming when the storm was over. Another and a sufficient remedy had been applied: the disturbances were confessedly decreasing, and yet such a measure as the present, which could only have the effect of irritating, was to be proposed. He hoped he had put the intended clause in such a light as would make it impossible it should remain.

The *Attorney General* said, he was not at all surprised at the conclusion to which the right hon. gentleman had come, as he totally disbelieved the Report of the committee. Certainly, if that Report was false, there could be no occasion for such a measure as was now proposed, and every person thinking with the right hon. gentleman must come to the same conclusion. It was lucky for the right hon. gentleman, however, that he had no local knowledge which justified the Report. He contended, however, that the facts contained in the Report were such as fully justified the Bill, and he cautioned the House how it gave credit to the delusion that, because the disturbances were now suspended, during the assizes, and while parliament was deliberating upon them, that therefore they had ceased. He could state, however, that very recent intelligence had arrived of intimidation having been used, threatening the lives of persons if they gave evidence against those who were to be tried. He deprecated the levity with which the subject had been treated by the right hon. gentleman. The object of the clause was to keep the arms of the people in safe custody, and prevent the insurgents from getting them. He had alluded also to Ireland; but he wished he had read the date of the act from which he had some clauses. Was not the date 1810? And was that the period when Ireland was convulsed with outrages? How easily the right hon. gentleman believed outrages that did not exist, and disbelieved them when they did exist! In fact, that act which he had alluded to, had been passed, because all disturbances had ceased in Ireland, and it was intended to mitigate the provisions of the act of 1797. He would ask the right hon. gentleman what had been the act in force for 13 years before 1810?

Mr. *Hutchinson* warned the committee against subjecting themselves to the great responsibility of legislating in utter ignorance of the true nature of those proceedings which had been laid down as a precedent. It had been again asserted by the noble viscount, that no tortures, no excesses of any kind had been committed against the people of Ireland, previous to the commencement of the rebellion in 1798. He (Mr. H.) had in his place upon a former night denied that assertion, and he now rose again to give that assertion of the noble lord's his most unqualified contradiction. He was therefore at complete issue with the noble viscount, and he was prepared to prove by evidence at their bar, that he was too well grounded in the charges he then made. He solemnly charged the government of lord Camden, of which the noble lord was for a considerable period the ostensible part, and for the whole period the confidential adviser; he solemnly charged that government with permitting torture throughout Ireland before the rebellion. "I assert," said Mr. Hutchinson, "that under the eyes of that government, for two long years before the rebellion, the people of Ireland were suffering under every infliction of outrage that could goad them to resistance. I assert, that for two years before the rebellion, the system of infliction was prosecuted through every means of torture and outrage, breaking open of houses at the dead of night, flogging, picketting, burning, half-hanging, violation of women, depredation of property, licenced plunder, legalized murder—horrors, that but to think of was sufficiently dreadful—to detail disgusting. To be conscious that they once happened might have its use in warning an English House of Commons, how they opened an avenue for the introduction of such calamities. (Hear, hear!) They knew not what Ireland had suffered—let them beware how they took the first step that was to lead this country to a knowledge of such misery.—He again solemnly pledged himself if required, to prove at their bar by undoubted evidence the truth of all the assertions he had advanced.

The committee then divided—Ayes 77; Noes 18; Majority 59.

A second division took place on the clause, empowering magistrates to lodge in a safe depot the arms so taken.—Ayes 75; Noes 16; Majority 59.—The House then resumed, and the Report was ordered to be received to-morrow.

HOUSE OF LORDS.

Friday, July 17.

THE LATE OVERTURE FROM FRANCE.] Lord *Holland*, before he proceeded to move the order of the day, wished to know from the noble lord opposite, whether ministers were in possession of any further information relative to the late Overture from France, than what had been published in the foreign papers? Was it the intention of the executive government to take this subject into their consideration? He was desirous of abstaining from delivering any opinion respecting the answer to that Overture, although he was certainly not disposed to admit, much less to guarantee, the existence of king Joseph at the head of the government of Spain as a principle of negociation. He should have approved, however, of entering into a negociation upon the principle of rendering Spain independent of France. He, at the same time, with respect to the terms of the answer which had been published, could not but protest against the difficulty which appeared to be felt in designating the emperor of France, as emperor. He wished to know whether it was intended to communicate any further information upon the subject to parliament or the public, and whether lord Castlereagh had received any answer to his letter?

The Earl of *Liverpool* said, that he had no difficulty in admitting that the correspondence in question (without tying himself to the critical exactness of any particular expression) was substantially correct. The noble lord would admit, that it would have been improper to have laid these documents before parliament at an earlier period, since the answer of lord Castlereagh afforded an opportunity for explanation; which explanation, however, had not yet been given. If any one now chose to move for these papers, he had no objection to produce them. With respect to the recognition to which the noble lord had adverted, government had acted upon the principle of all former governments, and even of that of which the noble lord had formed a part, which was, that such acknowledgments ought not to be made gratuitously, but ought to be the objects of a stipulation for a consideration and equivalent. But whatever objection some might find to the language of the answer, there were few, either in parliament, or in the country at large, who would find fault with the matter of that answer. All would agree, that if the acknowledgment of Joseph Buonaparté as king of Spain was to be made a necessary preliminary by the French government, no negociation could be entered upon by the government of this country on such a basis. It had, therefore, been requisite to call for an explicit declaration on that subject, in the first instance. No communication in reply had been received; and there the matter had rested. He repeated, that he saw no objection to laying the correspondence on their lordships' table, if any of them thought it worth while to make a motion for that purpose.

The Earl of *Lauderdale* would not make any observation on the subject either way at present; but merely asked, whether he understood the noble earl correctly, when he conceived him to have said, that no answer whatever had been returned to the letter of lord Castlereagh, and that no other paper had passed, except those which had already appeared?

The Earl of *Liverpool* could assure the noble lords, that no communication whatever had taken place, since the answer alluded to had been returned; that which the noble lords saw published, was the whole of what had passed between the two governments on the occasion.

INFORMATIONS EX OFFICIO.] Lord *Holland* having moved the order of the day for the second reading of the Ex Officio Information Bills, and the same being read accordingly, observed, that in rising to propose the second reading of these Bills, he was aware how little attractive the subject was, and that the season of the year at which it was now brought forward was not very favourable to a full attendance. He would not, however, detain their lordships in detailing the reasons which had prevented him from bringing this very important question under their consideration at an earlier period of the session. This postponement made it very improbable that his object would be obtained, and rendered the present time of all others the most inauspicious to the success of such a measure as that which he proposed. It might perhaps be thought by some, that considering the nature of the subject, which must be well known to their lordships, and considering that he had before explained his sentiments in regard to it at some length, he might spare the House the trouble of hearing the same things repeated on the present occasion. It was certainly with a degree of reluctance that he trespassed upon their lordships' attention, by recurring to arguments and observations which he had urged upon a former night. But when he recollected the manner in which the question had been then received—when he recollected how completely the subject had been misconceived, and misrepresented, by those by whom he was anxious not to be misconceived and misrepresented, and from whom he might have expected to receive support and assistance, he felt the necessity of recapitulating shortly the view of the grounds upon which he rested the Bills under consideration; the views which convinced him that some regulation of this power of filing Ex Officio informations was necessary; and also the effects with which, in his opinion, the proposed regulation would be attended. He was also anxious to prevent a misapprehension of a different description,—a misapprehension into which no one conversant with the subject could possibly have fallen. He knew that the words "Ex Officio information" and "libel" had been so associated in the minds of many persons, that it was imagined the power of filing those informations was confined solely to cases of libel, which he need not inform their lordships, was a gross mistake. Ex Officio informations and libel had for some time past been so much identified, that there were persons in the country so ignorant of law as to suppose them inseparably connected, and even to imagine that his object was nothing less than to abolish the law of libel altogether, and thus expose the government and individuals to every attack that the utmost licence of imagination could invent. His object was the regulation of the power of Ex Officio informations, in order to guard against the abuse to which that power was liable, to the oppression of the people. It was well known to their lordships, that so far was the mode of prosecuting the offence of libel by Ex Officio information from being the indispensable mode of proceeding, that it had never been considered by the best legal and constitutional authorities as the regular and ordinary course, or the method that ought to be resorted to on common occasions. The old, plain, and constitutional method of proceeding against libel, as well as against other offences, was by indictment. The method of prosecuting libel by Ex Officio information was the exception,—not the rule. If he were to go the full length of the proposition of the committee on the Bill of Rights, after the Revolution, and move that the mode of prosecuting by Ex Officio information in case of libel should be altogether abolished, still the offence would be punishable at common law: and the government and individuals would have the same security against libel as they had for life, limb, and property. Indictment found by twelve men, the majority of a grand jury, and afterwards submitted to the unanimous decision of twelve other men in the petty jury, formed one of the just institutions of that wise and sensible country in which he had the happiness to live; and upon this institution depended the preservation of the life, limb, and fortune of every man. In these most important particulars the mode of prosecuting was by indictment. This, by the common law of the land, was applicable to all crimes; and might not this security, which had been found effectual in so much graver cases, be sufficient in matters of libel? His object, however, was not to go this length. Suffering the power still to exist, his design was, to provide as much as possible against the abuses to which it was and must in its nature be so liable. Whatever might be his own theoretical and speculative opinions on the subject of libel, he could not indulge such Utopian expectations, as to hope that the law should be rendered consonant to his individual notions. But the present proposition was not founded on any speculative or theoretical ideas of his. The object of it was, to restore the old constitutional practice, which was in danger of being overturned by a new system, exceedingly liable to abuses, which must be attended with the most mischievous consequences. He was anxious to impress deeply on their lordships' minds, that the ordinary mode of proceeding, in cases of libel, ought by the constitution to be by indictment at common law, and not by this anomalous method of Ex Officio information, which even in the view of the warmest of its original defenders, had never been considered as calculated for any other than the most extraordinary occasions, when the delay of a moment might be dangerous. Having said so much on that part of the subject, for which, however, he owed an apology to the House as they must already be so well acquainted with it; he had also to observe, that this discretionary power of filing Ex Officio informations had always been a subject of extreme jealousy with those who esteemed the popular part of the constitution. Indeed, the law itself considered it as a less favourable mode of proceeding for the subject; and from dear-bought experience had proved that it was so. Why had not this Ex Officio method of proceeding been adopted in regard to life and limb? Because it had been considered as less favourable to the subject. But if this attention was paid to the rights of the subject in matters of such grave import, why not extend the same principle to cases of libel, at least in ordinary circumstances? He who carefully examined our history, would probably find no difficulty in answering the question. Upon such an examination it would be found, that in those periods of our history, when the subject had been peculiarly harassed by vexatious and arbitrary punishments and exactions, the grand instrument of oppression was this very power, or something of the same nature. The extension of it had always been found the most ready way to wreak the vengeance of arbitrary governments upon those whom they could not bend to their purposes by other means. Thus in the reign of Henry the seventh, the grievances endured by the people through this means were so great, that it was found necessary in the first year of Henry the eighth, to pass an act for the express purpose of regulating this power. Again in the reign of Elizabeth, and in the reigns of the first princes of the House of Stuart, this power was resorted to, and was the favorite engine of that most oppressive court, the Star Chamber, to the temper and spirit of which it was admirably suited. It was the undue exertion of such power as this which had rendered the Stuart family a name of opprobrium in this country. But then it might be said, that at the close of the reign of the Tudors, and in the beginning of that of the Stuarts, the most vexatious proceedings were not by Ex Officio information, but by informations of a different description. On that he should have a word or two to say by and by. He must now proceed to observe that it was not till after the Revolution that a sufficient check was placed over the arbitrary power which was resorted to under these informations. At that glorious period of our history, a man who had been referred to for decisive authority by the noble and learned lord on the woolsack, was one of the committee of the House of Commons appointed to inquire into what laws were necessary to preserve the liberties of the country. This committee of which Mr. Somers, afterwards lord Somers, was one of the most active members, returned a report, in which they recommended a check to the exorbitant power which had been resorted to under informations. The matter was referred back to the committee for more particular information; and the committee again reported, that they acknowledged the legality of the mode of proceeding by information, but still recommended the suppression of it; to which the House unanimously agreed. He requested their lordships' particular attention to this, because it proved that this mode of proceeding by information was the grand instrument of oppression before the Revolution. He was aware that the informations then more particularly alluded to were not informations Ex Officio, but informations in the name of common informers. The fact, however, was, that this species of information had been found so convenient to the government, that the information Ex Officio had fallen into disuse, and had become in a great degree obsolete. To regulate the power of information thus exercised, and prevent the grievances that resulted from its abuse to the people, an act was passed in the third or fourth year of William and Mary, enacting that the informer should enter into recognizance as a security to the defendant for the costs; provisions having previously been enacted to prevent the informer from not prosecuting or from compounding the suit. He trusted he should not now be told by a noble and learned lord, as he was on a former occasion, that the act to which he alluded, was obsolete. That noble and learned lord could not now say so in justice to himself, that act being still in operation, and, constantly, he was happy to say, acted upon by the Court of King's bench. But then, he repeated, it might be said, that this act did not apply to Ex Officio informations, but to informations in the Crown-office by common informers. The fact was so: and here was the proper place to notice the objection on this account, to which he had before adverted.

The reason, or at least one reason, why Ex-Officio Informations had not been particularly subjected to regulation in this act was, as he apprehended, because previous to the Revolution, and to the passing of that act, Ex-Officio informations, and informations by common informers, had been, as to practical purposes, the same. Indeed, the method of proceeding by information of common informers had been found the most convenient instrument of oppression; and consequently, in the reigns of Charles 2, and James 2, the method of Ex-Officio information had become almost obsolete. This being the state of things, the parliament of that time had acted on the maxim of not carrying the remedy beyond the evil,—had confined itself to the regulation of that kind of informations which had been found practically oppressive; and the consequence was, that Ex-Officio informations were left upon their former footing. But yet, the omission was attended with some remarkable circumstances which ought not to be overlooked. The act was so worded that nothing could be found in it to confirm the legality of these Ex-Officio informations. It appeared to have been the object of those who drew up the act, to throw no obstruction whatever in the way of putting an end to the practice of Ex-Officio informations, if they should be found to be illegal; or, in case they were legal, of submitting them to proper regulation if they should be oppressively exercised. If, therefore, the Ex-Officio information was, as some eminent lawyers had maintained, actually illegal, it could derive no legality from that act. Another reason which probably operated along with the consideration that this particular power had not at that time been abused, was, that Ex-Officio informations could not be subjected to regulation in the same manner as other informations, without breaking down a maxim of the law, which said that the king should pay no costs. Whether this was a wise maxim or not, he did not then mean to discuss; but being an established maxim of law, it had no doubt occurred to the framers of this act, that it ought not to be abolished by a side-wind. It was provided by that act, that every common informer should enter into a recognizance to prosecute his suit, and that he should not compromise it without leave of the court; or, if he did, that his recognizance would be forfeited: one of the great evils to be remedied being the lodging of informations, and extorting money to forbear following them up. In Ex-Officio informations a regulation of this kind could not be made; and as no great practical oppression had then resulted from it, that point was left as it stood before.

But what was the state of things now? the method of Ex-Officio information had become the common mode of proceeding: indeed, it was almost the only mode adopted in cases of libel. It was now, then that the necessity for regulation pressed, if such a necessity existed. He had therefore to shew their lordships, that this power was one which ought to be regarded with extreme suspicion and jealousy,—that it was a power peculiarly liable to be abused,—and that it was one which had never been originally intended to be exerted, except on great occasions, and in cases of necessity, when the safety of the state might be endangered by the delays of the ordinary mode of proceeding. He had next to shew them, that this power had been distorted from its original purpose,—that it had been abused, and was likely to be still farther abused,—and that it had in its nature a strong tendency to abuse. This he had to shew, to prove the necessity, or at least the great expediency, of subjecting this power to some such regulation as that which he now proposed. If the power had a strong tendency to be abused, it was incumbent upon parliament, if possible, to counteract that tendency; and upon this principle it was that he submitted the present measure to the consideration of their lordships. In order to shew that this power was peculiarly liable to abuse, he had only to explain its nature. The effect of the existence of this power was, that an individual might, at his own discretion, *propria motu*, place a man at once in that situation in which he would be placed, if, according to the ordinary mode of proceeding, twenty-three men, forming a grand jury, had deliberated upon his case, and a majority of them had declared, that there was reason to believe him guilty of the offence laid to his charge. By this means an individual had it in his power, at his own discretion, to put a fellow subject to very serious expence, without the possibility of reimbursement, however innocent; and not only this, but he had the power of keeping the prosecution hanging over his head for ever: whereas the other method was limited as to time. The Attorney-General might, for the purposes of intimidation, and influence, keep the proceedings in suspense for any length of time; he might multiply them to any extent, and consequently without trial, subject any one at his pleasure to a very heavy fine. It was almost absurd to set about proving that such a power had a strong tendency to abuse. It was a truism which could not be for a moment seriously disputed. He had only to state the nature of the power; and when he had stated it, no one could deny but it was extremely liable to be abused; and if so very liable to be abused, it was the duty of their lordships to adopt some regulation to counteract this pernicious tendency.

In every thing which he had said, he had taken care to avoid any mention of individual cases, because he was anxious that the question should be argued on the general principle. To this rule he would adhere; but at the same time, without naming any individual, it was important to mention the fact, that in the course of three years, three successive informations had been filed against an individual: on one of which he had been acquitted, and the other two had not been brought to trial. The expence to which the individual in question had been put on these occasions amounted, as he was informed, to 278*l.* 18*s.* 11*d.* Here, then, was an instance, in which a man had been most heavily amerced and fined,—properly perhaps, for he did not enter upon that question; but whether properly or not, still most heavily amerced and fined, at the discretion of an individual; and in three instances, in one of which a jury had pronounced the accused innocent, while the prosecutor had not gone to trial in the other two. Thus it appeared that an attorney general, without the intervention of a grand jury, without the intervention of any regular or constitutional mode of proceeding, had the power of fining a British subject to the amount of nearly 300*l.* in 3 years! He did not mean to blame sir Vicary Gibbs; he might have acted with the most honest intention: but what their lordships ought to consider was, the enormous abuses to which this power was liable,—a power by which an individual might be most severely punished by the verdict of a single man. That this was a most serious evil, must be admitted; and that the power, whether necessary or not, was liable to the greatest abuse, was equally clear. Regulation therefore, if practicable, was highly desirable. The view which he entertained of this subject, was sanctioned by the great authority of chief justice Hale. This mode of proceeding was applicable to all offences, except treason and felony; and yet in practice, it had of late been confined to cases of libel, with the exception of a few revenue cases. This offence of libel was, of all others, the most likely to excite undue resentment in the officers of government, and was therefore, of all others, the instance in which the power was most likely to be abused; and such, in fact, were the instances in which this power had been almost exclusively exerted. In consequence of the diffusion of knowledge in this country, the curiosity that prevailed, and the attention which all classes paid to the conduct of public affairs, there existed a great, perhaps an unexampled love of periodical publications. He requested their lordships to consider, then, what a powerful influence an officer of government might derive from this power. Suppose a libel to be published which ought, in justice, to subject the libeller to punishment;—instead of having the matter submitted to the judgment of twenty-three men, the Attorney General chose to proceed by information. He kept the information hanging over the head of the accused, and there was a tacit understanding between them, that if the libeller conducted himself to the satisfaction of the Attorney General in future, the trial was not to come on! Was not this a most pernicious source of influence? In the case which he supposed, the means of subsistence of the accused might depend entirely on the Attorney General, as his property might be ruined if the prosecution went on; and was it probable that men in such circumstances would conduct their publications according to their conscientious notions of duty, or speak without reserve? It was not to be expected that they should; and the government might thus exercise the most tyrannical and pernicious influence over the press. He saw the noble and learned lord on the wool-sack smile at this, and he believed he could divine the reason. It was true that in the instance, of the individual to whom he had before alluded, the filing of one information had not prevented him from exposing himself to similar prosecutions. But his answer was, that this was only a single instance and ought not to be considered as conclusive upon the general proposition; and another answer was, that the improper exercise of this power had a tendency to produce resentment which would sometimes outweigh the calculations of prudence. The existence of such a power had a manifest tendency to degrade the press, to destroy its independence, to place it in the hands of the servile and the unprincipled, and to make it only a vehicle of libel and slander against the private characters of individuals. How did the fact stand as to the number of these informations, compared with their number at former periods; and also as to their number compared with indictments for similar offences? From the year 1800, to the year 1807, the number of criminal informations filed was 15. From the year 1808 to the year 1810, the number was 42, (of which however, more than half had never been prosecuted to trial) So that the average number of the three years last mentioned, was to that of the previous seven years as 14 to 2; and as compared with the three years immediately preceding, as 14 to 1. With these facts in view, he requested their lordships to attend to what Mr. Justice Blackstone said in regard to these informations. An argument on this subject had arisen in parliament, and Mr. Justice Blackstone had supported these informations. An anonymous pamphlet had appeared on the other side, which was supposed to have been written by no less a person than lord Camden (or Chatham); and Mr. Justice Blackstone might here be considered as advocating the propriety of these informations. Their lordships would see what were the grounds upon which alone Mr. Justice Blackstone thought they could be defended. "The object of the King's own prosecutions filed Ex-Officio by his attorney-general, (he quoted the words of Mr. Justice Blackstone,) are, properly, such enormous misdemeanours as peculiarly tend to disturb or endanger his government, or to molest or affront him in the regular discharge of his royal functions. For offences so high and dangerous, in the punishment or prevention of which a moment's delay would be fatal, the law has given to the crown the power of immediate prosecution, without waiting for previous application to any other tribunal." Were the cases in which these forty-two informations had been filed in the course of three years, all such enormous misdemeanours as those which Mr. Justice Blackstone described? Were they of the kind in which a moment's delay would be fatal, when almost one half of them had never been brought to trial? Could any one hear this, and not be convinced that some regulation was necessary? The proposition was by the clearest logic reduced to this, either that Mr. Justice Blackstone was mistaken in the law, or that forty-two enormous misdemeanours, in the prosecution of which a moment's delay might be fatal, had been committed in the space of three years, or that the power of filing Ex-Officio Informations had been improperly exerted. Reverting to the authority of sir Matthew Hale, he observed that this great and excellent judge, after stating the law on the subject of informations, had strongly recommended as the safest way, the way most consonant to the principles of the constitution, and the laws passed in the reign of Edward 3, (the grand period of English jurisprudence) to proceed by presentment of a grand jury. With this opinion and recommendation of sir M. Hale before them, he had to inform their lordships, that in the course of the last two years, during which there had been so many informations, there had only, as far as he could learn, been one instance of the prosecution of libel by the government in the way of indictment. The Ex-Officio Informations, as compared to the more constitutional method of indictments were as 50 to 1. Was not this a reasonable ground of suspicion? Was there one among their lordships, who, with these facts before his eyes, could say, that no regulation was necessary? If their lordships took a retrospective view of legal proceedings in Ireland, they would find that 25 or 30 years ago a criminal information for a libel was a thing unknown in that country. But since that time Irish Attornies-General appeared determined to make up for lost time. He wished to be cautious in what he stated, as he was not so well acquainted with the application of the law in that country as in this. But he had heard of a person in Ireland, who had been imprisoned, tried, and convicted without ever seeing the information against him, or knowing what his offence was. While in prison for one libel, an information had been filed against him for another. He applied for a copy, and was told to go to the crown office. There he was told that he must pay 19*l.* or 20*l.* for stamps. This he could not pay. He made an affidavit that he was not worth the money; but he was taken to have pleaded Not Guilty, and upon the trial was found Guilty. Upon being brought up for judgment, he stated that he had not seen the charge against him; and the Court of King's-bench, after hearing the case argued, granted a new trial; granting it, however, upon the express ground of his affidavit, that he was not possessed of the money demanded of him for a copy of the charge; so that if he had only been possessed of 30*l.* he must have paid 20*l.* of it for a copy of the information. By the law of England, a person might, it was well known, be guilty of a malicious libel of which he had never seen one word. He wished to introduce into his Bill a clause, by which persons accused of libel should be entitled to have copies of these informations when prosecuted in this way, free of expence; but he was apprehensive that this would not pass in the other House. He strongly reprobated the taxes upon law proceedings, however, which were almost of all others the most pernicious. Next adverting to the late proceeding in Dublin against the man who printed a pamphlet on the subject of the penal laws against the Catholics, he expressed regret and wonder that such a person as Mr. Fitzpatrick had been selected for an Ex-Officio Information; a person who had so recently received the thanks of a large body of his countrymen; and at a moment too like the present, when the government professed to be pursuing measures of conciliation. Neither did the nature of the work justify the proceeding. It was nothing more than a statement of those penal statutes which affected the Catholic body of that country. There was another circumstance connected with that business also, and one which he hardly knew how to mention, it was so anomalous, and in some respects so ridiculous: yet, when he considered it as a precedent, and in reference to the evils it might produce, it then assumed a different character. The Attorney-General of Ireland, now in the dignity of filing Ex-Officio Informations, and with all the pomp and circumstance of glorious law, sent a regular summons to the person against whom he was filing the information, desiring him to attend at his, the Attorney General's, own house. The proceeding was most injudicious, as well as unjustifiable. How was the man to know whether the Attorney General had such a power as this? And if he chose to attend to shew cause to the Attorney-General at his own house, how easily might the officer of government sift out of him all his means of defence in a court of justice, and employ his knowledge for the purposes of oppression? "Common informers," it might be said, "were in the habit of extorting money from the accused, and dropping prosecutions for bribes; but could an officer of government, could an Attorney-General be supposed capable of being influenced by base bribes? It was not to be imagined." No,—it was not. In the present state of manners, he believed no Attorney-General would be influenced by direct bribes. Thanks to the publicity given to transactions of a public nature by that very press which they were prosecuting. But they might be influenced by other considerations, which might lead to as great abuses of their power as if they took direct bribes. Every view that could be taken of the subject, proved in the strongest manner the necessity of imposing some check upon this power. He was anxious not to disturb any great principle of law by his motions, but the law itself was so likely to be benefited by the Bill in question—the course of justice so much brought within constitutional practice—and the benefit to the subject rendered so extensive from more plainly limiting and defining the power of the Attorney-General on informations, that he must press the motion for the second reading. It was a measure merely of regulation. It left all the purposes for which these informations were instituted, untouched. It did not in any way interfere with the speedy prosecution of enormous offences; but it would have a tendency to counteract that principle by which, at present, the terror of a criminal information was kept hanging over a man's head. The first clause enacted, that no information should be filed by his Majesty's Attorney-General within the United Kingdom of Great Britain and Ireland, unless such information should be so filed, or exhibited, within a given time (the precise number of months to be specified in a future state of the Bill) after the misdemeanour or offence done or committed. That was the purport of the first clause; and the second clause enacted, that if any information filed or exhibited Ex-Officio, be not proceeded upon, and the defendant brought to trial within so many months next after the day of such informations, all further proceeding upon the same information should after the expiration of that time, cease and determine, except such trial should upon cause shewn, have been postponed by any rule or order of the Court of King's-bench. Such were the contents of his Bill, and he did not think it necessary to enter upon any anticipation of objections that might be made to it. At this late period of the session, however, it was not his intention to press his other Bill (for a repeal of part of the Indictment Act.) He should therefore postpone it until the next session. The principle of the Bill before the House appeared good, practical, and practicable. He was far from meaning to throw any stigma on the laws of criminal justice. He thought, with the exception of confiscation, and the horrid and disgusting words in which the sentence for high-treason was pronounced, there was no code in the world that came nearer to perfection. He concluded by moving the second reading of the Bill.

Lord *Ellenborough* begged leave to assure the noble lord and the House, that any enquiry which went to improve the system of our laws met with his most hearty wishes for its success. If he could act on any occasion from sinister motives, he should be unworthy of the high office he held, and of a seat among their lordships. If, on the present question, his reason were convinced, he would be not only ready to express his conviction, but glad to assist in the common object of their lordships,—the purity and perfection of justice in this country. But he must at once say, how much he was astonished at some of the assertions of the noble lord. He lamented that the noble lord had not addressed his mind to the proper sources of information. That noble lord, whom no one could suspect to be deficient in sagacity, had thought proper to describe the law of information Ex-Officio as not known to the ancient law of England. Where had he found this singular fact? This question was not asked in the spirit of triumph, but of genuine surprise. He was quite above any idea of triumphing on the subject,—he was seeking for the simple truth; and the discovery of truth was the best of triumphs. But the noble lord was, perhaps, to learn, that this mode of information was a part of the original law of England, formed in the freest times, and sustained by the most constitutional lawyers. Judge Blackstone had been quoted by the noble lord in support of his opinion; but he would say, that at the time of writing his Commentaries, judge Blackstone was extremely ignorant of criminal law. He wished to say it without offence. He was far from slighting the memory of that extraordinary man; a man who had produced the most elegant and classical work upon the dryest subject in the language; a man, who by giving interest to the systematic knowledge of our law, had allured the student: and who, by the spirit and eloquence with which he set forth the code of England, had advanced her beyond calculation in the respect of other countries. Judge Blackstone made the law of England studied in other countries, and he thus threw a dignity round the wisdom of his own. It was not such a man that he would presume to treat with offence: but as he could not flatter the living, so neither would he bestow a fulsome panegyric on the dead. Blackstone, when he compiled his lectures, was comparatively an ignorant man; he was merely a fellow of All Souls College, moderately skilled in the law! His true and solid knowledge was acquired afterwards. He grew learned as he proceeded with his work. It might be said of him, at the time he was composing this book, that it was not so much his learning that made the book, as it was the book that made him learned.—His frequent examinations of the great questions in his work acting upon a powerful and highly furnished mind, gradually raised him to that fulness of knowledge which he afterwards possessed; and enabled him to produce a book, of which he (lord E.) must be the grateful eulogist; as he was indebted to it for an easy and pleasant introduction into the thorny science of the law. But nevertheless there were many things in Blackstone's work, which, as a lawyer, he was bound to say, were misstatements. Among them was the proposition to which the noble lord had referred. The whole business of information had been much misunderstood. Informations were the only process by which the knowledge of criminal acts could be conveyed to the king's mind. The law was as old as Edward I. In the most remarkable case of our constitutional law,—the case of the Five Members,* for detaining the Speaker in the chair,—there was no doubt of the legality of the process by information. The only doubt was, whether it was properly applied in that case. The defence was, not that the information would not lie, but that the thing itself was no subject of information, being part of the privileges of parliament. In the information against Plowden for absenting himself from parliament, the only doubt was, whether the offence was one of those liable to information. He was very highly pleased with the courtesy and candour evinced, throughout his speech, by the noble lord; who, however, appeared to him, acting doubtless from the most pure intentions, to have taken an incorrect view of the subject. Instead of the Attorney General being authorised, on the mere suggestion of his own spleen, to file a criminal information, it was necessary that a motion should be made, in open court, under those checks, which a particular statute had provided.—The noble lord might say, that the statute to which he alluded was obsolete. This he denied—it was acted on every day; and the Statute of Limitations might, with equal propriety, be deemed obsolete. The mode of filing Ex-Officio information, by the Attorney General, and by the Master of the Crown office, was not only pursued in former times, but it was customary to issue writs for the apprehension of the parties, that they might be compelled to come in and answer those informations—and even now the system was virtually acknowledged, by the manner in which persons were suffered to go at large, under those circumstances, on their recognizances. But the noble lord might perhaps say, that those things passed *sub silentio;* and that the right of taking any man, on a charge of that sort which generally came under the cognizance of the Attorney General, was illegal, without indictment found. He would, therefore, cite a case, from Fortescue's Reports, page 140, in which a man was apprehended on the warrant of the Secretary of State, and brought before chief justice Parker, after-

---

* See their case in Howell's State Trials, vol. 3, p. 294.

wards lord Macclesfield (a lawyer, than whom none was more perfectly acquainted with the civil and criminal law of the country, and whose decisions in equity must be applauded by the noble lord himself)—before Mr. Justice Eyre, afterwards chief justice of the court of Common Pleas, and before Mr. Justice Powis. The case was that of a printer, of the name of Derby, who was apprehended for a libel, by virtue of a warrant of the Secretary of State. He was brought before the court, and entered into recognizances to appear in the ensuing term. He did so, and he then moved for his discharge, by Mr. Lechmere, his counsel, a gentleman of no mean note at that time, afterwards a member of that House, and who excited considerable attention in the other. The warrant authorized the officers of justice to make search for Derby, to seize and secure him, for publishing a scandalous libel, in No. 74, of a periodical paper called The Observator; and to bring him before the Secretary of State. To this warrant Mr. Lechmere objected, that the Secretary of State had no right to issue his warrant, in case of libel, although for treasons and felonies he had. It was also objected, that no time was fixed for bringing the matter to an issue; and that thereby the office of Secretary of State was likely to be turned into an inquisition. The court, however, held, that under the statute against the propagators of false news, he might be detained till he discovered his author; that the warrant merely stated the offence, and it was not necessary to introduce a specific time; and that the Secretary of State was empowered to issue his warrant against a libeller, and, therefore, that it was good, and the defendant could not be discharged. [Lord Holland said from the opposite side,—"But did he not admit him to bail?"] He (lord Ellenborough) allowed that lord Macclesfield did admit this man to bail, and he admitted upon second thoughts that he might have mis-stated the fact: he had only spoken from what he would have done himself: for, God forbid, that when his conscience pointed one way, he should follow precedent the other. Of the general validity and legal spirit of the Ex-Officio information there could be no doubt, but it had been clouded by circumstances. In the beginning of the present reign, a controversy had taken place as to the legality of general warrants to search for papers, as is allowed in cases of high treason, for that which could not have been doubted as applied to cases of high treason, was doubted with respect to misdemeanours; and another question was agitated, in consequence of the arrest of Mr. Wilkes, whether members of parliament were not protected by their privilege against those warrants? In both instances, the crown lawyers were defeated on the leading questions: and from that time the public officers were extremely alarmed, and reluctant at bringing forward any process of that nature. A noble lord (Alvanley) afterwards, in an unfortunate moment, had recourse to an act of parliament to legitimate the principle of proceedings, which had, prior to that time, been repeatedly and legally resorted to. Here he (lord Ellenborough) wished not to be understood as throwing the slightest intentional blame on the memory of that estimable man. He had received many favours from him, and had great cause to remember him with respect and gratitude. Perhaps he (lord Ellenborough) had a firmer nerve; but, for his own part, he could conceive nothing more injurious to the prerogatives of the crown, and consequently to the interests of the people, for whose benefit they were intended, nothing more productive of feebleness in the execution of the law, than declaring this and that to be legal, of which there had been no doubt. What he would do was this—he would avow the precedent of office, and appear before his countrymen boldly, and state, that he had only done that which had been considered legal, and if it were found mischievous, let it be discontinued. But he would not shelter himself under an act of parliament, which tended to make little of the prerogatives of the crown. As to the system of informations, he protested that it appeared to him, in many instances, to be a more convenient and more humane mode of proceeding, than by indictment. If a man made an affidavit, which afterwards turned out to be false, and on which the Attorney General had filed an information, the injured party might immediately prosecute his opponent. But if the accuser went before a grand jury, could the prosecution for perjury be so easily brought? Certainly not. Malicious motives must then be proved. The recent case of an Ex-Officio Information, which had occurred in Ireland, he only knew from the statement of the noble lord, and of another noble peer for whom he entertained a high respect. Now, if the noble lord were to ask him, if he would have acted in the way attributed to the law-officer in Ireland? he would answer, Certainly not. And why? Not because the conduct of Mr. Saurin was incapable of legal defence, or that there was actually any impropriety in his sending for the party in question to his house; but because the step was injudicious, as allowing room for those misconstructions which had already taken place on the subject. There might be nothing more harmless, and even nothing more humane, than his thus calling the printer to his own house, and hearing his story enough to enable him to dismiss the man without putting him to farther trouble, if he should appear innocent. (Lord Holland observed, that the order of the Attorney General used the words "Required to come.") Well, all that might be so, and the intention perfectly humane; but people in this world frequently wanted not only the innocence of the dove, but something else. Could any man say the warrant was compulsory, which called the defendant to appear before the Attorney General, at his chambers? The fair interpretation of it was this: "I am about to file an information against you, but, if you come before me, at my chambers, I will give you an opportunity of urging any matter you may conceive to be of use to you." As to the difficulty of getting a copy of the indictment, of which so much had been said, there was none. Both the indictment and the information were read the first thing after the defendant was called into court. This was no new practice. In Tremayne's Entries the defendant was mentioned as "praying oyer," and then the indictment "legitur in hæc verba." Besides, there was no man tried on misdemeanour, who, although the law only allowed him oyer, could not at a very trifling expence, by employing the hand of another, procure a copy of the indictment and information. Nothing could be more fanciful than the picture which had been drawn of the danger of attorneys-general getting men into corners to pick out their story, and then turn it against them. How indignantly would those great men, who had filled that high office, since the evil of Ex-Officio informations was supposed to have grown up, repel the unworthy insinuation. How would lord Thurlow, lord Loughborough, the Chief Baron, or the noble lord on the woolsack, spurn the base idea. Could it be supposed that men, holding a high situation, in a profession which impelled the mind to the pursuit of every thing honourable, could debase their characters by proceeding on malicious and unworthy grounds? No one could believe the possibility of the thing; and the noble lord could not be serious in the supposition. All the attorneys-general whom he had had the honour of knowing, had acted in their public capacity from a sacred sense of their duty. He should now come from the ornamental parts with which the noble lord had enlivened this dry subject, to the Bills in question. In the first instance what was the House to do with the third clause of the first Bill. He did not hesitate to assert, that it went to render a great part of the efficiency of the Attorney-General a jest. Did the noble lord know that the method of proceeding against all delinquents in the colonies was by information? And if so, what was to be done with a clause appointing the process to take place within three months from the offence? Why! did he know that offences might be committed abroad, not for months, but years, before they could be brought to justice? If such provisions were sanctioned by parliament, in many instances justice could not be obtained against great offenders. In proof of this, he instanced the case of Mr. Alexander Davison, whose misconduct was undiscovered for nine years. But, it would be said, "you might have indicted him!" Certainly, it could have been done. But a man in his situation might corrupt the ordinary sources of justice—though God forbid it should ever be the case. Had the noble lord heard of the case of Mr. Valentine Jones, who, in the very beginning of his employment abroad, had contrived to cheat government of 150,000*l.* and was now, after his imprisonment, under a civil process to compel him to refund 100,000*l.* more? What would three months do in such a case as that? Had the noble lord heard of the case of Hunt, who had fled from justice, and did he still talk of three months? Thus publicly injurious would be the effect of the noble lord's proposition in colonial and revenue matters; but in others nearer home, in libels for instance, while the effect of the libel was working in the popular mind, while the public were still inflamed, how were the ends of justice to be answered, by bringing the libeller before a jury in the moment of that heat and inflammation? No: to do justice, time must be suffered to intervene,—the general mind must be suffered to cool; and it was by its returning wisdom, that the merits of the case ought to be decided. He must, from every view of the subject, wonder at the Bill. He begged to be understood, not as at all wishing to say any thing offensive to the noble mover, for whose sagacity and research he had great respect. He desired to be understood as perfectly sincere in this; and he congratulated that noble lord and the House on the conduct which had been pursued in the discussion of the measure before them. He meant no allusion to any difference of conduct before, but took this opportunity of observing, how much temperance of debate added to, at least, the conveniency of the discussion. But no other consideration ought to prevent his saying, that the Bill was decidedly unfit to be entertained by the House. Imputations upon great law officers ought not to be carelessly encouraged. He, in his experience, had not seen one who was not strictly honourable, and utterly above the practices with which the spirit of these propositions charged them in general. If the noble lord could justly charge any crown officer with having used the powers delegated to him from motives of influence or of passion, he (lord Ellenborough) would be as attentive as any man could be, to see that the charge should be well sifted; and, if the individual, be he attorney general, or be he whom he might, were found to have disgraced himself, and to have prostituted his office to unworthy purposes, let him suffer like any other man,—in the name of God, let the hand of justice fall heavy upon him; and he would be the man, under the verdict of a jury, to inflict that justice. If he had stayed proceedings, from principles of humanity, he would not quarrel with his lenity; but if his motives were corrupt, let him be consigned to punishment. He, however, protested against the Bill. It was of so light and frivolous a nature, that he would not propose that it be read a second time this day three months; but he would treat it as it deserved, by moving, "That it be rejected."

Lord *Erskine* said, he had listened with the greatest attention to the arguments of his noble and learned friend, but they had not shaken the opinion he entertained of the policy and justice of passing the Bill before the House. No doubts had been expressed concerning the *legality* of informations Ex Officio, nor of their high antiquity; the only question was, the *principle* upon which they were sanctioned by our legal constitution, and the purposes to which they should be applied. He agreed with Mr. Justice Blackstone in his view of the subject; it was true, as had been stated by lord Ellenborough, that that eminent author, when he wrote his Commentaries, could have but little, or rather no *practical* knowledge. Certainly he could not, but his work shewed his deep researches into all the principles of our legal constitution, and as informations Ex Officio were part of the ancient law, it was from history and writers of authority which were open to him, that their true nature was to be traced; from his not having attended the courts, he might not know the modern practice, but he knew the grounds upon which such informations had been first adopted and finally retained, when their expediency came to be considered; and be appeared to him to be correct, when he said, "that the objects of them, were properly such *enormous misdemeanors* as tended to endanger or disturb the government, and in which a moment's delay might be fatal; in *such* cases, the law had given to the crown the power of an *immediate* prosecution without waiting for any previous application to any other tribunal."—He entirely agreed with his noble and learned friend that this was not quite a correct view of the use of informations in our own times, nor even when the Commentaries were written; but to arraign the work on that account, would be trying it not by the principles of the law, but by the very abuse complained of. It was not, however, necessary to have recourse to Mr. Justice Blackstone, nor to any other writer, for the just jealousy with which informations Ex Officio had been regarded; the best appeal was to our ancestors in parliament at the period of the Revolution. On the 29th of January, 1688-9, a committee composed of the most eminent men, (amongst others Mr. Finch and Mr. Somers) was appointed by the House of Commons to bring in general heads of such things as were *absolutely necessary* to be considered for the better securing our religion, laws and liberties; and on the 2nd of February sir George Treby reported amongst several other articles, "*That Informations in the Court of King's-bench should be taken away;*" and to this part of the Report the House agreed; it was true that it was not afterwards specifically introduced into the Bill of Rights, and that the power of the attorney general not being taken away with that of the coroner, it continued to stand under the ancient law, but surely these proceedings shewed the light in which such informations were regarded by the greatest statesmen and lawyers in the best times. Lord Erskine said, the whole of this interesting proceeding would be found in a learned note on Sir W. Williams's case in the new edition of the State Trials.* The difference indeed between informations Ex Officio, or even *any* informations, and the proceeding by *indictment*, rested upon principles so obvious, that no authorities could be necessary to illustrate them to Englishmen; the popular privilege of accusation was the most distinguishing feature in our government; to this day no man could be *capitally* accused but by the judgment of his equals forming a grand jury; the relaxation of that great security in *lesser offences only*, shewed that the grand jury had ever been held as the shield of the people against the power of the crown.

The noble and learned chief justice had spoken with reverence of many eminent men, who had held this office, some dead in our own times and others still living, and asked for the fact or the probability of abuse in such quarters; but surely, that was not the way of debating the policy or expediency of any law, much less when the present Bill did not seek to alter the law, but to bring it back to what it had been but the other day. The Bill did not propose to take away the Attorney-General's information, but only to deny him in some cases the privilege of bail, which had only been recently demanded, on the ground only that the information of an officer of the crown did not convey the same verisimilitude of guilt, as when stamped by the finding of a grand jury upon the examination of witnesses on oath. The question therefore was, as far as related to the subject before the House, whether the people had encroached upon the prerogatives of the crown, or the crown upon the privileges of the people. His noble friend only desired that there should be neither the one nor the other, but that the information should hold its *ancient place* in the practice of the government.

Lord Erskine said, he was not disposed to deny that justices of the peace might always have issued their warrants to arrest persons upon informations taken before them on oath, and to hold them to bail to answer to informations or indictments, and he admitted that the law in this respect went strongly to sanction those statutes of this reign, which he thought the present Bill ought to be amended so as not to touch, viz. those against the revenue which were the subjects of them. The 28th of the King, chap. 77, was passed to enable the crown to arrest and hold to bail upon affidavit before a judge, or by certificate of information or indictment found for offences of outrage and violence against revenue officers in the execution of their duty. This might have been done before by ordinary justices of the peace, and the confining this statute to cases of *palpable* crime, viz. *dangerous outrage and violence*, shewed the caution with which the legislature then proceeded in cases touching the liberty of the subject; and even this statute produced consequences not foreseen when it was passed, as it became necessary to amend it by another act of the 35th of the King, to enable persons arrested under it, and sent to distant prisons, to be brought to immediate trial, without the expensive process of Habeas Corpus; by delivering their informations in the gaols instead of personal appearance, without which, persons too poor to remove themselves, might have remained in custody for ever.

The provisions of the 26th of the King were afterwards extended by other statutes to other offences against the revenue, and against the quarantine laws, *but still confined to actual breaches of the peace,* and lastly, the 48th of the King extended to other offences against the revenue, which though not involving breaches of the peace, were acts capable of clear investigation and judgment, viz.—Frauds in withholding duties — Conspiracies between revenue officers and traders, and the delinquencies of public accountants.

Lord Erskine said, that when this last act was passed, which in its enactment certainly comprehended cases of libel, and which, *therefore,* his noble friend's Bill proposed to qualify; he verily believed that libels were not thought of, but those offences only against the revenue which the former acts had not comprehended. It was certainly considered at the time, as a Bill in *pari materia,* with the others acted upon as such.

The noble and learned chief justice had

---

* See Howell's State Trials, vol. 13, p. 1369.

stated, that the powers given by these statutes to the judges, at least upon informations on oath, belonged before to justices of the peace in cases of *libel*, as well as in actual breaches of the peace, which he had illustrated by the case of the Queen against Darby, upon a Habeas Corpus before lord chief justice Parker.—Lord chief justice Parker was a most eminent judge, and he (lord E.) was not prepared to dispute the authority of that case, but undoubtedly it had not been followed up in practice, and in his (lord E.'s) opinion, there was a most substantial difference between overt acts of violence or fraud, and cases of libel; above all those libels generally prosecuted by Ex-Officio informations, viz. libels not upon *individuals* for personal slander, but treasonable or seditious libels upon *government.*—Undoubtedly no crimes were more dangerous, nor more deserving of punishment than libels of the last description, but the proofs of them were not plain objects of the senses, like assaults or pecuniary frauds, or even private slander; but often involved matter of the most nice and difficult investigation, much beyond the reach of ordinary magistrates upon informations, or even of the most learned and impartial attorney general, upon the bare act of publication; and the subject therefore in such cases ought not to be deprived of his liberty till after a bill of indictment. He could not better illustrate what he meant, than by the late case of the King against the Printer of the Morning Chronicle. He had no doubt that when the Attorney General filed that information, he thought he was doing his duty, and he did not even call his learning on that occasion into question, but whoever would read the charge of his noble and learned friend to the jury who acquitted Mr. Perry, would see how much it was beyond the mark of a justice of the peace or of an attorney general, to deprive a man of his liberty in a case which did not consist of *a plain unequivocal overt act like a blow, or the fraudulent application or subtraction of money,* but depended upon a correct judgment of the mind and intention of a writer writing upon subjects not only within his privilege, but which were often dictated by duty.—In these cases a grand jury alone ought to stamp the verisimilitude of crime, and at all events ought alone to be a warrant for the deprivation of liberty.—His noble and learned friend had added what he believed to be correct, that he did not know a case in which bail had been taken by any judge of the Court of King's-bench in the case of a libel, upon the bare information of the Attorney General, without an information upon oath filed in court, which would have brought the case within the Queen and Darby without the aid of the statutes.—This however, only shewed what he never doubted, viz. the caution and reserve of the present judges; but while the statute of the 48th of the King remained, which the Bill before the House sought to qualify, the judges were not bound to observe the same reserve and caution, and it was not irreverend language to hold of judges whose characters and functions were entitled to the highest respect, to pronounce that it was fit to bind them by *strict laws,* and that no law should be suffered to remain upon the presumption that it would never be executed.—Such a law would be a greater libel on the government than any which an information was ever exhibited to punish; and yet it could not be denied, that under the 48th of the King, the subject might be held to bail upon the Attorney General's information alone, *though supported by no oath whatsoever,* although in such cases no judge had as yet put such a law into practice.—This, he conceived, ought undoubtedly to be corrected, and he was of opinion that his noble friend's Bill ought to be applied to the whole extent of denying bail to informations Ex-Officio for libels, but for the reasons he had already given he thought it should be confined to cases of libel, and he had understood from his noble friend that he had no objection so to confine it.

There was another principle every day in the mouths of all the judges in cases even of informations filed by leave of the Court of King's-bench, which seemed to dictate a similar reserve in cases of information by the Attorney General. For although truth was no justification of a libel when prosecuted by indictment, yet the Court of King's-bench would not permit an information to be filed for any slander, however gross, without the positive oath of the prosecutor to its *falshood.*—To use the familiar phrase of the court, "*the parties must come with clean hands into court,*" and such had been the strictness of the practice, and the positiveness required of the oath of innocence, that prosecutors had been convicted of perjury, and had stood in the pillory upon the affidavits they had sworn, to obtain informations for libels. *Why* then, he would ask, should not the *same* principle apply to public libels also? *Why* should not *governments*, and those who administered them, come with the same *clean hands into court*, if they chose to prosecute by the extraordinary process of information instead of by indictment? since the examination of such libels equally involved and ought to involve the question whether the author was moved by public spirit or by malice; and this indeed was more applicable to *public* than to *private* libels; because men have no right to animadvert upon private men however criminal, but should prosecute them for their crimes, whereas they had a right and even a duty to examine the proceedings of the government. Surely then, no Attorney General, removable at the pleasure of the very government animadverted upon, and perhaps personally involved in the animadversion, ought to be put upon a footing with an indifferent impartial grand jury.—He meant no offence to any individuals; he spoke as a peer of parliament, from a sense of public duty, to protect the subjects of the realm by the general principles of law.

With regard to the other part of the Bill which fixed a limitation in point of time to Ex Officio informations, he had little to observe, because he agreed with the noble and learned chief justice in his observations as they applied to the Bill as *it now stood printed*, but which his noble friend had *professed* his willingness to amend, and stated what his amendment would be. With regard to cases of fraudulent delinquents, whose offences might not be known till after the period of limitation, it should be remembered that the proceeding by indictment remained unlimited and untouched; but the best answer was, that it was not ultimately intended to affect *such cases*, nor could they be affected by the Bill if it was confined *to cases of libel*. The libels prosecuted by informations were for the most part published in *periodical* or *diurnal* publications, which as the law stood could not be printed without public notice registered at the Stamp office with the names of all the proprietors.—There could not therefore in such cases be any concealment of the offence, and there could be no just principle upon which proceedings in such cases should be hanging over a free press,—No, they ought to be visited *in the instant* like all other crimes, subject only to the ordinary discretion of the courts as in other cases. The same answer might be given to the other objection, by admitting the whole force of it as the Bill stood printed. Undoubtedly, if the limitation of time applied generally from the period of filing the information, the party might *abscond from process*, and until he was served with process the court could take no notice of him, and could have no jurisdiction to postpone the trial; but that objection his noble friend proposed to obviate by adding by way of exception—*Where the defendants had absconded to avoid process, or should not have entered appearance and pleaded*:—IN ALL OTHER CASES the limitation would become the subject of the court's jurisdiction, and be regulated by the sound discretion of the judges in the postponement of trials. To the Bill, *so confined to cases of libel, and so guarded in its limitations*, he not only saw no objections, but considered that it would be productive of the greatest good, by conferring popularity upon, or rather removing odium from the administration of criminal justice. He (lord E.) had always been of opinion, that respect should be paid to general opinions, and even to general prejudices in matters of law and government, wherever they could be attended to without affecting principles, or relaxing substantial obedience, and the connection of crimes. The execution of laws had not only proved abortive, but governments themselves had been shaken and perished from not attending to the feelings of mankind; the most restive part of the English public were asking nothing new,—they were uttering no complaints against the constitution of their country; but were rather erecting it as the standard of excellence;—such a disposition called for the utmost attention and indulgence from a discreet legislature.

He could not conclude without saying, that he was always happy to see his noble friend treading in the steps of his illustrious kinsman, gifted with his talents, and attached like him to the liberties of his country.

Earl *Stanhope* did not desire to unmask the noble and learned lord, but to unmask his principles. He could not concur in giving the Attorney General the power of a grand jury. He said nothing of attorney generals of our own day; but he could not forget that judge Jefferies had been an attorney general—and, recollecting that, he could not approve of such power being held by the Attorney General. The first part of the Bill was, that after a certain day no Ex Officios should be filed unless within a period to be limited. If he thought he misrepresented the noble and learned lord, he would go on his knees to apologize; but had he not said against that, that a defendant might, through the delays, corrupt the sources of justice? Would they permit one in so high a situation thus to attack the institution of trial by jury? It was a great merit of that institution, that neither grand nor petty jury was in existence at the time of committing an offence, or even at the commencement of prosecution. As to dropping proceedings if not begun in a certain time, the noble and learned lord said, that it might be necessary to wait for a period of sounder and cooler judgment; from which, he (earl S.) could only learn that the Attorney General might suspend his terrors over men's heads as long as he pleased, and visit them at the most convenient season, or not at all. The noble and learned lord had spoken very disrespectfully of Blackstone, but if he (earl S.) had done so, and had said Blackstone wrote ignorantly, he knew how the noble and learned lord would have trimmed him for so grossly libelling the bench. Blackstone, it had been said, was not very wise or learned when he began to write, but became wise and learned by writing. If it were true then that by writing a book an ignorant man may become a learned lawyer, he (earl S.) would recommend the noble and learned lord to set about one as speedily as possible. The noble and learned lord rested very stoutly on old acts of parliament, some of which were, in fact, expired. There was an act about spreading false news, to which he had alluded. The act of William and Mary provided, that any body convicted of publishing slander or false news, concerning the king or queen, should suffer pillory in a market-place, and have his ears cut off, or pay a large fine; if he repeated his offence, he was to lose his right hand, and, eventually, all his goods and chattels. There was an expired act of Elizabeth, which punished any body for exchanging a horse with a Scotchman, or in such a way as that the horse was likely to be taken to Scotland. It might have been well, if this law had not been suffered to become obsolete, as if it had been rigidly enforced, it was probable so many Scotchmen would not have come posting to that House. However he confessed that for his part, he liked the Scotch lads now very well; he did not know what he should have done in those days.

The Duke of *Montrose* objected to the sort of speeches with which the noble lord sometimes favoured the House, and should, though reluctantly, if they were continued, be obliged to resort to the standing order for clearing the House of all strangers.

Lord *Holland* replied. The noble and learned lord had represented him as saying, that the mode by information was less legal than that by presentment. He believed the noble and learned lord had confounded the terms legal and legitimate. He had never denied the antiquity of the present mode. However convenient informations had been found, yet had they been always considered as less preferable than the other mode; not by such as himself, but even by lord Hale in his Pleas of the Crown; a judge whom, he supposed, the noble and learned lord would not call ignorant. Lord Hale said, that in all criminal cases, the safest way, and most agreeable to Magna Charta, and the statutes of the Henrys and Edwards, was to proceed by the presentment of twelve sworn men. It was not illegal to act by informations; but why not proceed by the safe, legal, well known mode, on which the country justly prided itself? He had thought it was completely ruled, that no man should be held to bail, on the principles of lord Camden, except for a breach of peace. A libel was not a breach of peace, and could only be held as having a tendency to a breach of peace. The noble and learned lord had better take the case of the Seven Bishops to his aid, though perhaps he did not much wish to shelter himself under that authority. Chief justice Parker did cut the Gordian knot, and did hold to bail for libel; but this had not, he believed, been considered as decisive authority in courts of law.

The House divided on lord Ellenborough's amendment—

Contents	16
Not Contents	7
Majority against the Bill	—9

List of the Minority.

The Duke of Gloucester
The Earl of Grosvenor
Earl Stanhope
The Earl of Rosslyn
Lord Holland
Lord Say and Sele
Lord Erskine

HOUSE OF COMMONS.

Monday, July 20.

West India Revenues Bill.] The Chancellor of the Exchequer moved the postponement of the order for the second reading of the West India Revenues Bill. After some discussion between Mr. Marryatt, Mr. Brown, Mr. Cochrane Johnstone, Mr. Rochdale, and the Chancellor of the Exchequer, the Bill was ordered to be read a second time that day three weeks.

Administration of Justice Bill.] Lord *Castlereagh* observed, that it was not the intention of ministers to press this Bill through during the present session. He would now merely correct a misapprehension, which was, that the public would be incumbered with a fresh expence: on the contrary, 2,000*l.* of the new salary would be taken from the profits of the Chancellor, though his business would not be at all diminished.

Mr. *Tierney* did not see how the Chancellor would have the same business, if a vice-chancellor was to be appointed: and if more than 2,000*l.* worth of business was taken from him, more than 2,000*l.* of salary should likewise be deducted.

Lord *Castlereagh* stated, that the business of the Chancellor would be the same: the vice-chancellor would do that business which was now left undone, and would be paid in part out of the fees of the Chancellor. Ministers would renew the measure at the beginning of next session. He would now move that the Bill be read that day two months.—Ordered.

Preservation of the Public Peace Bill.] Lord *Castlereagh* moved the third reading of this Bill.

Lord *Archibald Hamilton* opposed the Bill as perfectly unnecessary in the present state of the country. He pointed out the tendency it must necessarily have to excite disturbance and disaffection whenever attempted to be put in execution; and the dangerous situation in which it would place those individuals who might be deprived of their arms in consequence of it.

Sir *T. Turton* considered the present Bill rather as an aberration from the practice than the principles of the constitution. He defended the conduct of the magistrates of the country, which, though in all large bodies there might be found some exceptions, was in general distinguished for the utmost mildness and humanity. Much as he deplored the necessity for the Bill, he conceived that necessity was sufficiently proved to the House, though he hoped it might never be found necessary to carry the Bill into execution, and that the disturbances would subside of themselves.

Mr. *Calcraft* objected to the clause relating to searching for arms. He did not think that there was sufficient evidence before the House to warrant them in going the length of that clause in trenching upon the rights and liberties of the subject. The House ought to know what was the state of the countries said to be disturbed since the repeal of the laws which obstructed their manufactures. The information on which the present Bill was founded, was dated in February, March, April, and May last, and the House had had no information since the 23d of June on the subject. His information was, that the people were returning faster than the most sanguine could have expected to their regular habits. He should therefore vote against the Bill, on account of the objectionable clauses contained in it.

Mr. *Hutchinson* objected to the Bill, as calculated to violate every principle of a free constitution. If a power was given to break open houses in search of arms, such a power would necessarily lead to the commission of the greatest outrages. Such a power ought not to be entrusted to the hands of any persons whatsoever, except in the case of the most urgent necessity. It was because he was most firmly convinced that such a necessity did not exist, that he had opposed the present Bill in every stage of its progress. He called on the noble lord opposite, to communicate some evidence to the House, to shew them that the state of the country was such as he had represented it. It was not enough for the noble lord to deal in dark and vague surmises; he ought to establish his proposition in a satisfactory manner. This, however, he had never yet thought proper to do. While the noble lord was apparently unable to bring forward any evidence that the country was in a state of disturbance, there was positive information on the table of the House, that it was now restored to tranquillity. He wished to draw the attention of the House to the contradiction in the conduct of the noble lord during the progress of the Bill. When he introduced it to the House, his chief reason for inducing the House to grant such excessive powers, was, that no danger could be apprehended from magistrates resident in the country, and who had so great an interest at stake; and then at a late hour of the night, when no person could entertain the least apprehension of such a step, the noble lord came forward, by way of what he called a technical alteration, with a power to nominate magistrates without any qualification whatever. So much for the reliance which could be placed in the noble lord. The Bill went altogether on a false principle, assuming the existence of an array, whereas it had been stated to the House, by several respectable members of the committee, that there was not the smallest evidence for such an assumption. He would object to the Bill on the ground of experience. He had seen a similar measure adopted by government, and acted upon in another country, where it had produced the greatest possible mischief. He was convinced that many persons were then driven to disaffection by the outrages committed against themselves and their families.

Mr. *Herbert*, of Kerry, said, before the act alluded to by the hon. gentleman who spoke last, had passed, Ireland was in a state of the greatest confusion. The outrages, which no man lamented more than himself, were not the cause, but the effect, of the disturbances of that country.

Mr. *Tierney* was perfectly willing that a measure should be adopted adequate to put an end to the disturbances in the interior, but he thought that the provisions introduced regarding arms, were altogether unnecessary, particularly if ministers placed any reliance on the efficacy of the previous sections of the Bill against unlawful assemblies; because without the existence of those meetings, the seizure of arms by the rioters could not be effected. He begged to state to the House three amendments that he had proposed in the committee, and it would be seen that they were such as ought to have been included in this measure, although they were peremptorily rejected by the noble lord and his friends. They were as follows: 1. That the power of entering a man's dwelling house should be conferred upon two magistrates instead of one. 2. That the magistrates should be subjected to some degree of responsibility in committing this act of violence, by the insertion of the words "upon any reasonable ground of suspicion." 3. That the magistrate should not have power to make search for arms during the night. In consequence of the negation of these propositions, he felt himself called upon to resist the measure, and should take the sense of the House upon it.

Mr. *Bathurst* declared, that the evidence as to the seizure of arms was already complete, but he could add, that this very morning information had been given at the office of the Secretary for the Home Department, that no less than eight new attempts of that kind had been made within these few days. He admitted that the disturbed districts were now more tranquil, but how could the House be assured that the flame would not be re-kindled before the next session.

Mr. *Martin*, of Galway, wished to be informed in point of law, to what punishment a peaceable inhabitant would be subjected, who should kill a constable duly authorized to search for arms, but who was mistaken for a rioter?

Mr. *W. Smith* called the attention of the House to the inconvenience arising from such mistakes, which might often prove fatal.

Mr. *Giddy* thought, that the constable of the parish would be sufficiently known to render all danger of that kind merely imaginary.

Mr. *Tierney* proposed the following amendment to be inserted in the Bill by way of rider. "Provided always that it shall and may be lawful for his Majesty, by and with the advice of his privy council, to declare such districts as are now subject to the operation of this act, to be no longer in a state of disturbance, and that this act shall no longer be in force in such districts."

Lord *Castlereagh* approved of the amendment, and wished the clause to be so drawn as to include counties that might hereafter be disturbed. It was rendered the less necessary, however, by the shortness of the duration of the Bill.

The House then divided upon the question, that the Bill be read a third time. For the third reading 69; Against it 15; Majority 54. The further proceeding upon the Bill was then postponed for an hour, for the purpose of having Mr. Tierney's amendment added by way of rider, after it should have been engrossed.

IMPORTATION AND EXPORTATION OF

Grain.] Mr. *Sinclair* said, that as it might be of considerable importance to ascertain in how far Great Britain had of late years been dependent upon foreign countries for the requisite supplies of grain, and in how far also we had been enabled at different periods to export corn from this country to others, he was desirous that returns should be procured of the quantity imported and exported during the course of the last twenty years, and having communicated his wish to his hon. friend the Secretary of the Treasury, he had been informed, that it might be complied with, without much difficulty or delay. He availed himself of this opportunity to state, that it had been his intention to introduce a Bill on the subject of General Inclosures, similar to that which had passed through this House without opposition in the year 1797, under the auspices of a right hon. relative of his, who had formerly held a seat in this House; but which had not been equally fortunate in another place. Considering however, the advanced period of the session, and the pressure of important business before the House, he should postpone for the present the measure he had intended to propose; but should certainly bring it forward if parliament again assembled. The hon. member concluded by moving for an account of the quantity of grain imported into, and exported from, Great Britain, from the year 1792 to 1811 inclusive, distinguishing each species, the price of the year, &c.

Irish Butter Bill.] On the question of the third reading of this Bill,

Mr. *Parnell* begged the House would give its attention to this Bill, as one of great importance to a very great number of the poor industrious people of Ireland; it was a Bill not only objectionable on general principles, but also for the great variety and severity of its penal regulations. He was, in principle, an enemy to every description of legislative interference with matters of trade, as it always failed in its avowed object of doing good, and as it was commonly productive of great patronage to the authors of it, and great oppression to the poorer classes of those who fell under it.—In his opinion, the natural competition belonging to trade was a much more certain security against abuses in it, than such a law as this, which sought perfection by fines, distress and imprisonment. It professed only to continue the existing laws, and to be founded on the same reasons. But the preamble of it was in direct variance with the preambles of those laws. It recited, that in consequence of the great increase of the butter trade, it was expedient to enact, &c.—Whereas the preamble of the law of William 3, stated great abuses to prevail, by the using of bad casks, false weights, and other practices, which brought the trade into disrepute. We heard now of no such complaints; so far from it, the trade was in the most flourishing state, and the very reason on which the Bill was founded, the great extent of it, was the precise reason for no such measure being wanting; as it was sufficiently established not to want the protection of legislative regulation. The market for it, in point of fact, was so very certain, that nothing else was requisite, than common honesty on the part of the exporting merchants, to preserve and improve it. Though it was said this Bill was approved of by the buyers and exporters of butter, the opinion of the farmers and makers of it had never been consulted, or the persons against whom the penal clauses were to operate. Their sentiments should, in common justice, be collected; and even if the Bill should be deemed wanting by a majority of the House, no injury could arise from postponing it till next session, as the existing laws would remain in force till the end of that session. To pass such a Bill, making every farmer who brought butter to market liable to such a code of penalties, without giving him an opportunity of being heard in this House, was, in his opinion, a most unjustifiable and cruel proceeding. This Bill required of the farmer to comply with no less than fifteen penal regulations. If he failed in any one, he was liable to pay a sum of money—in failure of which, to have his goods distrained; and in failure of having sufficient goods, to be committed to prison. It in fact did no less than place him at the mercy of some deputy weigh-master or taster, whether or not he should have liberty to sell his butter; for it was nearly impossible that regulations so numerous and so precise could be accurately complied with by the very poor and ignorant persons who are the makers of the greater part of the Irish butter. This Bill, like all of its kind, contained ample provisions for creating patronage, and endowing those who were to be the objects of it. Weigh-masters and tasters were to be appointed in every market town in Ireland, and fees, amounting to 4*d.* on each half hundred weight of butter, were to be paid to them by the seller. This would be a tax on the article of a very enormous amount, as every one must see who considers the quantities of butter made for exportation and home consumption. But these were not the only grievances; as the casks are to be branded before they are sold, no cooper could make them, unless he lived in a town where there was a weigh-master appointed to brand his casks. No farmer could buy a cask without going to such a town, which might be many miles distant from him. All he desired at present was time for further consideration, and to allow the Bill to be known to those most concerned in it.—In regard to several of the clauses that were the most objectionable, as the right hon. gentleman had agreed to expunge them, he would not trouble the House by exposing their defects. He should move as an amendment, that the Bill be read this day three months.

After some conversation between Mr. W. Pole, Mr. French, and Mr. Herbert of Kerry, the House divided on Mr. Parnell's Amendment. For the Bill 67. For the Amendment 35; Majority in favour of the Bill 32. The Bill was then read a third time and passed.

TOLERATION BILL.] Lord *Castlereagh* moved the order of the day for the third reading of the Bill to repeal certain acts, and amend other acts, relating to Religious Worship and Assemblies, and Persons teaching or preaching therein.

Mr. *W. Smith* said, that the unanimity with which the present Bill had passed through the House, was a most favourable omen of the increasing liberality of the present times. He could have wished that this Bill had gone a little further, and had granted complete religious liberty. As an Act of Toleration it was certainly the most complete which had hitherto been passed in this country.

The Toleration Act had been formerly construed by the magistrates as enabling them at their discretion, to refuse qualifications, instead of confining the exemptions within the bounds of the law. A noble lord (Sidmouth) had attempted to rectify, by his Bill, the misconstrctions which had taken place, but this Bill gave great alarm to the Dissenters in general. He must however perfectly acquit the noble lord of any hostile feelings towards the Dissenters, and was sure that he meant this Bill for their good, but they differed in opinion from his lordship as to the probable effects of it. He thought that the present Bill would remove the practical evils which the Dissenters had to complain of, although it did not recognise the great principle which they maintained, that the civil magistrate had no right to interfere in matters of religious opinions, and that every man was to profess or promulgate any religious opinions, provided he did not disturb the public peace. Mr. Perceval had consented, that what had been the practice with respect to the Dissenters, should be made law, and the present Bill, (so far from meriting the opprobrious epithets which had been bestowed upon it in another place) would be felt by all the Dissenters as a great advantage gained, inasmuch as it removed the arbitrary discretion of magistrates, and required no other oath except the oath of allegiance. He would have wished that the Bill had gone farther, and recognised religious liberty to its utmost extent, but as it stood, he conceived it a great point gained. He concluded by moving a clause, "to continue the exemptions now enjoyed under the Toleration Act, without requiring a fresh oath."

The *Chancellor of the Exchequer* said, that he concurred with the hon. gentleman in congratulating the House on the general acquiescence and unanimity with which this important measure had been carried to its last stage. He conceived this union of sentiments on a subject so apt to awaken prejudice and excite jealousy, a most satisfactory proof that the spirit of religious animosity was fast subsiding in this country, and a temper gradually establishing itself far more conformable to the principles and favourable to the interest of genuine Christianity.

He could not indeed have felt any pleasure in this unanimity, if he had considered it as proceeding from an indifference to religious opinions in general, and a willingness to shew equal favour to all persuasions because the nation was growing careless as to any.

But it gave him peculiar pleasure when viewed in conjunction with the other proceedings of the legislature, and when he considered that the same parliament which had shewn the utmost liberality of sentiment towards the Dissenters, had been no less distinguished by its bountiful regard to the interests of the established Church.

It had not been deterred by the difficulties of a period of such extraordinary exertion and expence from providing for the wants of the parochial clergy by grants of unexampled munificience; besides the discharge of the land tax on small livings, to the value of at least 200,000*l.* and which commenced in 1806, direct grants had been made for their augmentation amounting in the four last years to no less than 400,000*l.*

It was with sentiments of pleasure and admiration, mingled with the deepest regret for what had since occurred, that he recollected that these grants, not less novel in their nature than liberal in their amount, had been proposed to the House by the friend whom he had lost—the minister to whose unsullied virtues all parties had united in paying the just tribute of their applause and grief. Among the many titles of deserved encomium which a lamenting nation might inscribe on the tomb of such a man and such a minister, there could not be one more honourable or more justly merited than that of the Benefactor of the Church of England. But to his liberal and conciliatory spirit, the Dissenters also owed the first design of this beneficial Bill, introduced into parliament by the noble lords now at the head of the government, and conducted to its last stage in that House with such general approbation. The honourable gentleman had observed, that this was a Bill of complete toleration, but not of religious liberty. He (Mr. Vansittart) did not well understand how religious liberty, as it respected the parties concerned in the Bill, could be carried farther; or how that system which allowed to every man perfect freedom in the exercise of public worship, according to the sentiments of the sect he might embrace, could be denied to be a system of religious liberty.

He was aware that the hon. gentleman thought some further provisions necessary for the protection of a particular sect, and had intended to propose a Bill for that purpose. He (the Chancellor of the Exchequer) believed there were many persons belonging to that sect, highly respectable for their moral virtues, and eminent for their charitable dispositions, and he most sincerely desired they should enjoy, what every man was entitled to, the power of worshipping God according to the dictates of their own consciences. But he was glad that the hon. gent. had withdrawn his intended motion, as he did not believe the persons in question had suffered, or were in any danger of suffering, any practical restraint upon their worship, and he thought the Bill intended by the hon. gent. would have given great offence to many well-meaning persons, by apparently leaving doctrines which were viewed with the most sacred veneration, not only by members of the established Church, but by the great body of the Dissenters, exposed to irreverent and contumelious treatment. In a future session, means might perhaps be devised to reconcile the respect due to those doctrines with a full protection to the decent profession of the opinions of those who might dissent from them.

With respect to the Bill immediately before the House, and which had met with such general concurrence, he should think it necessary only to state, that it had in view the repeal of laws founded upon a state of society totally different from the present, and containing provisions, which, if they had not been long obsolete in practice, would have been found intolerably grievous. He did not believe that they had for many years past been productive of actual hardships; but this was no reason for preserving on the statute book acts which could not be executed without oppression, which no longer operated as any protection either to the ecclesiastical or civil government, and the very existence of which unavoidably gave occasion to disunion and dissatisfaction. They were the relics of religious animosity and civil faction, and sprang from the embers of a civil war then recently extinguished, and were both in their spirit and their provisions wholly unsuited to times of settled tranquillity, and mutual liberality of sentiment.

The exercise of the public worship of the Dissenters could not however be left wholly without regulation. Two regulations were preserved by the Bill, and appeared to him of great importance. First, that their places of meeting should not be secret, but should be publicly known, and that the meetings themselves should not be of a clandestine nature, but open and avowed. The first of these objects was attained by providing that the places of meeting should be licensed and registered, and the second by the clause which requires that the doors of the meetings should not be locked or barred during the performance of the service.

These precautions are necessary to prevent the possible danger of clandestine meetings for dangerous purposes, under the colour and pretext of religious worship. They are also useful in vindicating the character, and preserving the credit and respect due to the divine service of the Dissenters. We know how readily suspicion attaches itself to, and malevolence attacks the conduct of secret meetings. We know that the meetings of the earliest Christians, the purest, the most pious, and benevolent of mankind, were not exempt from such attacks, on account of the secrecy with which, in times of persecution, they were necessarily conducted, and that various sects of Christians at different, and even in recent times, have, with more or less appearance of reason, been exposed to the most disgraceful suspicions. But against all unfounded accusations, the publicity of the service is the surest and most effectual protection.

With respect to a clause about to be proposed by the hon. gent. for facilitating the process by which dissenting teachers were to obtain the exemptions from certain civil and military duties to which they were legally entitled, he saw no objection, provided that were the sole object of the clause, and that it did not extend the exemptions themselves. He wished as much as the hon. gent. that every indulgence which could be afforded to the Dissenters should be granted in the kindest manner, and should be not only effectual to its purpose, but attainable with the least possible difficulty or inconvenience.

But he thought those exemptions liable to great abuse, unless strictly confined to persons whose whole time was devoted to religious duties. Those whose lives were entirely devoted to the purposes of religious instruction were undoubtedly entitled to be liberated, so far as was practicable, from secular cares and charges: but those who employed themselves in temporal occupations for their own benefit, might also be justly called upon to discharge them for the benefit of society.*

Mr. *Whitbread* said he had examined the Bill, and he found it was the same he had himself intended to have brought in. He drew the same happy inferences from the silent progress of this Bill as were drawn by his hon. friend, and he hoped it would continue till the great work of religious freedom received its final consummation, convinced as he was, that the strength of the Established Church rested in the freedom of religious opinions.

The clause was then brought up and agreed to, and the Bill read a third time and passed.

HOUSE OF LORDS.

Tuesday, July 21.

LOCAL TOKENS' BILL.] On the order of the day being read for going into a committee on this Bill,

The Earl of *Lauderdale* contended that this was a most dangerous measure, as it would create confusion and distress in the country, by destroying the means of carrying on retail trade, it being only through the medium of the small change afforded by these local metallic tokens, that the retail trade in the country could at present be carried on. He had a considerable collection of these tokens, and in general he found that they were worth about three-fourths of their nominal value, which might be considered a fair proportion; and therefore, he saw no reason, on any ground of their value, for putting them out of circulation, whilst, from the absolute want of small change, the Bill, if passed, would operate as a proclamation for the manufacturer of base coin, which would get into circulation, instead of tokens issued by persons of credit, and for which they were responsible. The Bill, besides, in its present shape, would operate in a way that was not intended by the framers of it, for although the circulation of local tokens was not to be stopped till the 25th of March next, yet from the word "issue" in the first clause of the Bill, no person could, in fact, after the passing of the act, tender a local token in payment (although not the original issuer of it) without being liable to a penalty of five pounds. He thought the Bill ought to be deferred till next session, in order to give an opportunity for discussing the whole question of the circulation of the country, upon which the circulation of these tokens depended; but, at any rate, he trusted there would be no objection to insert an amendment to prevent the Bill from at once putting an end to the circulation of these tokens, which must unavoidably create the greatest confusion.

The Earl of *Liverpool* said, that the noble lord and his friends had so often raised the cry of dangerous measures, that it was like the fable of the Boy and the Wolf; they had cried 'wolf!' so often that the cry was little attended to. With respect to the Bill, it had met with very little objection in another place, where the best opportunities of information on the subject were accessible, and the fact was that the evil resulting from the circulation of these tokens loudly demanded a remedy. Those who were interested in circulating these tokens bought up the bank tokens and withdrew them from circulation, in order that they might make a larger profit by the issue of their local tokens. The question of a silver circulation was, he contended, independent of the question as to paper and gold, the fact being, that some years ago, when gold was abundantly plentiful, great difficulties were experienced for want of a sufficient circulation of silver. The object of the Bill was to prevent the originally issuing any more local tokens after the passing of the act, but it was wished to give time till the 25th of March for withdrawing those already in circulation. He had no objection, therefore, to insert an Amendment as proposed by the noble lord.

---

* This clause was admitted by the House of Commons, but afterwards rejected by the Lords as carrying the exemption further than had been intended.

The Earl of *Lauderdale* observed as to the cry of 'wolf!' that himself and his friends, had lately taught the noble lord to join chorus very loudly in that cry; and he had no doubt, that long previous to the 25th of March, the noble lord on this subject also would cry 'wolf!' and be very anxious to repeal the present Bill.

The House then went into a committee, and amendments were adopted on the motion of the earl of Liverpool.

HOUSE OF COMMONS.

Tuesday, July 21.

Ex-Officio Informations in Ireland—Case of Hugh Fitzpatrick.] Mr. *Sheridan* rose in pursuance of his notice, to call the attention of the House to the summons sent by Mr. Saurin, Attorney-General of Ireland, to Mr. Fitzpatrick, calling upon him to shew cause in the Attorney-General's own chambers, why a criminal information should not be filed against him for a libel. The vigilant eye of the House of Commons ought never to be taken off from the conduct of public men, and if he had allowed the subject to remain unnoticed, he thought that he should have forfeited entirely the consistency of his character. In adverting to this important subject, he should feel it necessary to occupy only a small portion of the time of the House, because he should not be justified in concluding with a motion of censure, or even of opinion, while the requisite documents were not before parliament. He concluded, that ministers, who on a former day had professed their ignorance upon the subject, had by this time obtained information from Dublin, and he concluded that they would not object to the production of the summons in question, which had been transmitted to Mr. Fitzpatrick, particularly since a noble and learned lord in another place had publicly declared, that had he been in the situation of Mr. Saurin, he should not have acted in the manner in which Mr. Saurin had conducted himself, although that noble and learned lord had at the same time imputed no blame to the learned gent. as having acted illegally. When this paper was upon the table it would be decided, whether the practice pursued by the Attorney-General was or was not legal, and supposing it to be legal, whether it ought to continue to be so. In his opinion, the power of judges to send criminals to distant jails for punishment, was very questionable, and that if it existed, it ought to be taken away he was certain; so with the step taken by the Attorney-General of Ireland; it might be strictly legal, but it was not strictly just. It had been said in answer to this complaint, that what had been done was rather an act of civility than of severity. Even admitting it to be so, it was a question of great importance, whether the Attorney-General ought to be allowed the discretion of shewing civility to one man and severity to another. The summons in its wording spoke of "a false and seditious libel," but in what that libel consisted, no information was given. He called upon the other side of the House to adduce the false and seditious passages referred to. He had read the two parts of the "Enquiry into the Penal Code affecting the Roman Catholics," and he found that it contained a faithful and useful recapitulation of the disabilities under which the Catholics laboured; tracing all the differences and ill blood which existed in Ireland to the penal laws.

The book was an useful and elaborate publication. It would have been better for government to have replied to this book instead of prosecuting it: yet no attempt was made to deny the facts, or dispute the justice of the inferences in that work. Instead of this, a notice was sent to Mr. Fitzpatrick, requiring him to attend at the house of Mr. Saurin, to shew cause why a criminal information should not be filed against him for a seditious libel. The notice was dated the 3d July, and allowed four days for the appearance of Mr. Fitzpatrick. He knew not on what authority an attorney-general could require a man's attendance at his own house, but he knew that such a practice might lead to mischievous consequences. Mr. Fitzpatrick had indeed the best legal advice, and was not likely to be led into any error; he might throw such a demand into the fire without apprehension of the results; but suppose an ignorant man should be summoned to appear in a similar manner, the attorney-general might ask him to sit down, tête-a-tête with him, perhaps over a bottle of wine, in his nice snug little back parlour of a Star-chamber. A man in this situation might be induced to utter unguarded things, which might afterwards tend to his prejudice when he came to his trial; and the attorney-general became at once judge, jury, and accuser, in the same cause. He insisted that this proceeding went likewise to make a man criminate himself, contrary to the sacred maxim of the law, that no man should be made his own accuser. But it was alleged, that attorney-generals are such honourable characters, that no abuse of power was to be apprehended. He was ready to allow their general good character, but the liberty of the subject was too sacred a thing to rest on such a basis. He always had, and always should object to precedents drawn even from the best of men, and the best of times. It was asked, what harm could be feared from men like lord Camden, lord Erskine, lord Eldon, and a hundred others, who, he supposed, would be all good in succession to the end of time? It was for this very reason, because good and upright men had allowed such practices, that they ought to be noticed. The errors of the great were subject to imitation, while no body ever thought of quoting the precedent laid down by a bad man. The example of such a person died with himself, and rotted in the same ignominious grave. If, therefore, Mr. Saurin had been a character of no estimation, he should not now have noticed his conduct; but it was because he respected that law-officer, and admired him for the earnestness with which he sought a seat in parliament, to oppose the Union, from upright motives; it was for these reasons that he thought it essentially necessary to examine the proceedings of such a man. He understood that Mr. Fitzpatrick did attend the summons of the Attorney-General, and that the Attorney-General had nothing to say to him. He supposed, that there would be no hesitation in allowing the paper moved for to lie on the table, that if the Attorney-General should appear to have acted improperly, some motion might be founded upon it. He should, therefore, move, "That there be laid before this House, Copy of a Notice from the right honourable William Saurin, his majesty's Attorney General of Ireland, dated the 3d instant, to Hugh Fitzpatrick, requiring him to shew cause before him, at his house in Stephen's Green, on or before Wednesday the 8th instant, why a criminal information should not be filed against him."

Mr. *Wellesley Pole* stated it to have been the ordinary practice in Ireland (a practice in favour of the subject) for the Attorney General to give notice to the party against whom an information was about to be filed, of such an intention, and to call upon the individual to shew cause why such information should not be filed. This was done not to enable the Attorney General to draw from him what he had to offer in his defence, or for the purpose of exercising any Star-chamber authority, but for the purpose of giving the party an opportunity of offering any explanation that might, in his opinion, induce the Attorney General to forbear from further proceedings. He had no doubt but his right hon. friend had read certain scientific letters which had appeared in the newspapers, signed "A Barrister." From one of those it would be seen that Mr. Fitzpatrick had appeared to the notice, but it having been signified to the Attorney General that Mr. F. had nothing to say to him, he (the Attorney General) had not seen him. This was of itself a proof that it was not the object of the Attorney General to draw from him what he had to offer in his defence, as, had that been his object, he would certainly have seen him, and attempted to draw him into conversation. The notice itself was not that official document which the right hon. gentleman seemed to think it was. It required the attendance of Mr. Fitzpatrick, it was true, but it attached no penalty to his failing to attend, and was only intended to intimate, that if he had any thing to offer that might induce the Attorney General not to prosecute, the Attorney General was ready to listen to it. The prosecution, he declared, had nothing whatever to do with the Catholic claims. The law, however, while the Catholic claims were discussed, was not to be considered as in abeyance; and if a libel were published, accusing the government of foul and base corruption, and charging the judges with murder, he was confident the right hon. gentleman would not say the Attorney General did his duty if, seeing this, he were not to prosecute the publisher. The work in question, after some general injurious remarks on the administration of the law, stated, as one tragical instance of its injustice, the case of one Barry, who was convicted at the summer assizes at Kilkenny, in 1810. This man is represented to be innocent. His innocence, it asserted, was established between his conviction and execution, yet he had been executed protesting his innocence. To this statement it added, "Some shocking facts are connected with this subject, which the duke of Richmond's administration may yet be invited to explain to parliament." Justice ought to be alike administered to every subject; but what would those now in confinement for libels think, if such a libel as this, so extensively circulated, when seen, had been passed over? What would Walter Cox, who was now in the Newgate of Dublin for publishing a libel called "The Painter cut," in the Irish Magazine, and what would the public think of such a distinction being made? It was impossible for him to agree to the paper being laid on the table. Other circumstances, which he had not yet stated, made it, in his opinion, impossible for the House at present to take up the subject. Trials were now pending on the question; and as the right hon gentleman wished to ascertain how the law at present stood, he thought he could not do better than wait the result of those trials. Mr. Fitzpatrick, he could state for the satisfaction of the right hon. gentleman, had commenced an action against the Attorney General, and laid his damages at 1,000*l.* He thought it would be much better for the right hon. gent. to let the subject rest till next session, when it would be in his power to bring it forward more temperately, with more pleasure to himself, and in a way more satisfactory to the House. He thought the conduct of the Irish government in directing the prosecution perfectly correct, and that it was not for them to wait for instructions from England, in a case where charges were preferred, which, if proved to be true, would render the judges liable to be cashiered, and subject the lord lieutenant to an impeachment, and he was sure the right hon. gentleman himself would have been the first to impeach the Irish government had they neglected their duty in this instance.

Mr. *Hutchinson* disagreed in every point with the right hon. gentleman who last spoke. He thought that important advantages would result from a parliamentary investigation of this question. The summons of which such well grounded complaint was made, was, he feared, only a prelude to farther acts of hostility against the Catholics, and recollecting what had been the conduct of the Irish government during the last, and apprehending what it might be during the present summer, he felt that it was the bounden duty of the House, to insist upon the production of this document. He paid a high compliment to Mr. Saurin, and acquitted the duke of Richmond of any cognizance of, or concurrence in this transaction, since his grace had ever shewn an anxious desire to conciliate Catholics and Protestants, excepting in the injudicious issue of the proclamation of last summer. Allowing for the sake of argument, that the passage complained of was a libel, still it appeared to him, that the prosecution of Mr. Fitzpatrick was a very impolitic step; its only object was to re-kindle flames, which it was hoped were smothered; the disposition of government was by this act unmasked; the members of it shewed themselves in their hearts hostile to the Catholics, and he did not wonder that they were eager to put an end to the publication of works, the arguments of which were so incontrovertible, that if read, it proved them to be guided in their conduct to Ireland solely by ignorance, and its blind companion, bigotry: that they were bigoted, the experience of past years could shew: that they were ignorant was proved from the declaration of one of the judges of the land, who declared that the whole penal code, as applied to the Catholics, could be regulated and arranged in a few hours, or perhaps a day. The summons was indeed an ill-omen, and portended nothing to Ireland but disturbance, persecution and misery.

It had been falsely reported the Protestants of England were against the Catholic emancipation. However, this assertion might be attempted to be supported, there was proof before the House, that there was not a Protestant in Ireland who was of that opinion; and, however a misguided government might act so unwisely, as to inflame the minds of the people of this country against those claims, he should not think it fair in him to conceal from the House and from the public, what was firmly impressed on his mind,—that those claims must be granted, though every Protestant in this kingdom were against them! He was decidedly of opinion, that if the House suffered the government of Ireland to go on as they had begun, all the advantage expected to result from the late vote of the House of Commons in relation to Ireland, would be lost.

Mr. *William Fitzgerald* said, that the hon. gentleman who spoke last should not provoke him to go into a discussion wholly foreign to the subject, though it was introduced as if the vote on this motion was not only to decide on the merits of the book which was the subject of prosecution, but also to decide the Catholic question; and he must protest against the practice of clothing every subject, no matter what it was, in Catholic argument. The hon. gentleman had enlarged on the ability and capacity displayed in the work in question, and appeared to think, that libellous matter was to be justified in a work in consideration of any useful information which it might contain.—The hon. gentleman, however, had made one admission, which afforded an answer to the greater part of what he had urged. He acknowledged that the government of the duke of Richmond had been marked by a system of conciliation, and that with the exception of the proceedings on the Convention Bill, he could not charge that government with a single act not honourable or conciliatory. It might therefore be fairly concluded, on the admission of the hon. gentleman, that this last transaction was not marked by a different character from the general tenour of the conduct of the present government of Ireland. In order to bring back the House to the particular question before them (though he despaired of succeeding in bringing back the hon. gentleman to the subject, for all questions whether foreign or domestic, whether they related to the Orders in Council or to peace or war, were made Catholic by him) he must remind them they were to pronounce upon a dry and single fact, unconnected with the Catholics, namely, whether the publisher of that libel should be prosecuted or not? He protested against including the Catholics in this consideration. If the hon. gentleman chose so to include them, he (Mr. F.) protested against it. Nothing could be so likely to injure the Catholic cause (to which it was known that he was friendly) than to identify that cause with a publication which accused the lord lieutenant and the government of Ireland of having hung an innocent man, knowing that he was innocent.

The Attorney General of Ireland had taken the steps which to him appeared to be legal, and he was sure the hon. gentleman would not impute to Mr. Saurin any disposition to fish out from any one that which it would be improper in him to disclose. How it could be deemed guilty in the Attorney General to endeavour to discover the author of the libel, he confessed himself to be at a loss to discover. What could there be of culpability in attempting to avert from the publisher—a man comparatively innocent—the expence and inconveniences of a legal prosecution, by detecting the real criminal? He perfectly concurred with his right hon. friend in his reasons for resisting the motion. He resisted it, because it had not been placed on the only grounds on which he could be brought to accede to it. It was not proved that there had been any interference with the impartial administration of justice; that there had been any oppression exercised towards any individual; or that the government of Ireland had been guilty of any arbitrary or despotic act which called for the interposition of parliament. To agree to the motion would be to prejudge the trials *pendente lite,* and he must therefore vote against it.

Sir *Francis Burdett* considered the proceeding of the Irish Attorney General as an assumption of power wholly unconstitutional and inconsistent with established legal practice. The hon gentleman who spoke last had given his hon. friend a lecture for departing from the question, but he appeared to have been guilty of that error himself in a much greater degree. The question before the House was, whether a certain paper issued by the Attorney General of Ireland, and purporting to be a summons, was justifiable or not? The right hon. gentleman who spoke second in the debate, had given a powerful reason for not acceding to the motion, by saying, that he did not know whether it was usual to adopt such a mode of proceeding——

Mr. *W. Pole* begged to set the hon. baronet right. He did not say that the practice was unusual, but he said that he did not know whether the summonses were worded in the same manner, although they were in substance the same.

Sir *F. Burdett* resumed. He would have explained his meaning to the satisfaction of the right hon. gentleman if he had waited a little longer. He understood that it was the form of the summons which was complained of, though it appeared that the attendance was not compellable, and that no hardship had really been felt in the present case, yet it was quite sufficient that the power was capable of abuse, and the House ought to conclude that it would be abused, without considering the character of any particular person, which had nothing to do with the subject. But what he principally rose to remark, was, that the two gentlemen who had spoken on the opposite side, objected to any discussion *pendente lite.* There was nothing of the kind in the case; for the question was merely whether the notice was legal or not? Besides, it was rather extraordinary, that while those hon. members objected to any discussion on the plea of prejudging the case, they had themselves prejudged it most openly, by calling the work in question a gross and scandalous libel. This appeared a little inconsistent in his opinion. They had exhibited great delicacy towards the Attorney General, but none towards the printer, stating it as a fact settled and agreed upon on all hands, that the work was a gross and scandalous libel. Was this fair? With respect to the power assumed by the Attorney General in this summons, if he chose so to bring before him a poor and ignorant person, and to question him under the impression of alarm, which such an individual must naturally feel, such an assumption could not be contemplated without indignation. "But," it had been asked, "will you allow such things to be published with impunity?" He would allow the press to be free. If the facts alleged should turn out to be true, how much did the country owe to the press, through which they were promulgated? How would filing a criminal information against the publisher, exculpate the government of Ireland? The government might certainly punish a man for publishing what they did not like should be published, but this would not acquit them. Did the hon. gentleman opposite imagine, that if Mr. Fitzpatrick were convicted, there would be a single man in Ireland less of those, who believed that the circumstances which he had stated were founded in truth? But for his part, he had a strong prepossession that this would not be the case, but that Mr. Fitzpatrick would prove his assertions; for he had put the affair into the course that must soon bring it to the test. Not having heard a single reason advanced for refusing the paper, he should certainly vote for its production.

Mr. *Sheridan* reprobated any thing like party spirit in discussions like the present. He had himself found the advantage of a conciliatory spirit when he had a point of importance to carry. Among other instances, it had so happened, that by not taking up in a hostile party spirit the question respecting the Commissioners of Prisons in Ireland, but by consulting the Irish government on the subject, he had been the humble instrument of doing much good, and averting much evil. The right hon. gentleman opposite had advised him to postpone the present question, and had told him that he would return to it more temperately next session. He would not be so presumptuous as to compare his character for temper with that of the right hon. gentleman, but really he could not allow that the right hon. gentleman himself was accustomed to conduct himself with a total absence of all honest heat; especially on subjects connected with Ireland. The right hon. gentleman had said, that he would give him "the satisfaction" of knowing that Mr. Fitzpatrick had commenced a suit against Mr. Saurin. Now, if it was "a satisfaction" to know this, it was one which he had experienced at least 20 days ago. But he denied that it was any satisfaction to him. He deeply regretted to see such crimination and recrimination and irritation during that period which the Secretary of State here had promised should be spent in conciliation. "But," said the right hon. gentleman, "will you, *pendente lite,* stir this business?" What had the motion before the House to do with the trial of the libel? It was wholly unconnected with it. It related to the nature of the summons. The right hon. gentleman however had no hesitation, *pendente lite,* to pick a paragraph out of the publication, and to pronounce it the most atrocious libel that ever was written! Whether it was so or not depended upon whether the assertion which it contained was a fact or not. For if the man executed was innocent, if that innocence had been represented to the Irish government, and if mercy had nevertheless been sued for in vain, then was the publication no libel. But now the publisher was to go to his trial with the heavy weight of an unconditional declaration made by the minister for Ireland in the House of Commons, that he had been guilty of a most base and mischievous libel. But, it seemed, this publication had been extensively circulated. That, it appeared, was the crime of the publisher. His hostility to the conduct pursued by the English and Irish government with respect to the Catholics had rendered his work popular, and had circulated it extensively, and therefore he was a fit subject for prosecution! But, he would repeat, what had his motion to do with either of the suits which had been instituted? Whether Mr. Fitzpatrick was guilty or not had nothing to do with his argument. If Mr. Fitzpatrick were convicted, how could that affect the question, as to the power assumed by the Attorney General of sending for a man to catechize him in his own apartment? Would that conviction alter the legality or illegality of the Attorney General's conduct? He was glad to see the Attorney General of England in his place. He should like to know whether he would even accept of such power as that which had been assumed by the Irish Attorney General, had he been in that learned gentleman's room? Would he have attempted to call before him in his own parlour any poor, wretched, uninformed creature who might have been the publisher of a work containing some supposed libellous passages, in order to induce him to give up the author? He was sure that the right hon. and learned gentleman would not have done so. He was sure that he would have scorned such a proceeding. Supposing a justice of peace were to drag a man to prison without a previous deposition on oath, and on the way were to call him a rogue and a scoundrel; and supposing the man brought an action against the justice for these words as libellous, would he or any other member of the House be precluded *pendente lite*, from calling for the reason why the justice dared take the man to prison without a previous deposition on oath? The right hon. gentleman appeared to consider the notice as a kind of courtesy. If so, was it impartially exhibited? Did the Attorney General of Ireland manifest this courtesy to Mr. Walter Cock? He was sure not. Even on the ground of its being a courtesy he objected to it, as not a courtesy impartially administered. The right hon. gentleman had said, that he (Mr. S.) would have been the first man to impeach the Irish government if they had not ordered the prosecution of this libel. He really did not know what he had done in the course of his public life to make the right hon. gentleman suppose he was so fond of accusation or impeachment. The right hon. gentleman talked of "the government" of Ireland having directed this prosecution. Whom did he include in that term? Not he hoped the chancellor. Not he hoped the judges before whom the case might come to be tried and determined. Much had been said of the impropriety that there would have been in waiting for instructions from England before the institution of the proceeding. Why, who expected that? All that he had expected when he questioned the noble lord on the subject was, that the Irish government might have made some communication to the English government; and that the latter might therefore know something of the matter. He repeated his surprise and regret after the declaration of the noble lord, that the summer should be spent in conciliation, to find a prosecution instituted bearing such a vindictive character, and distinguished by such a new and illegal proceeding in its very commencement. He should take the sense of the House on his motion.

Lord *Castlereagh* apologised for saying a few words after the reply of the right hon. gentleman. It was perfectly true that when the right hon. gentleman put a question to him on the subject recently, he knew nothing of what had occurred. The step however taken by his grace the duke of Richmond and the government of Ireland had the entire approbation of the government on this side of the water. It did not appear to him to cast the slightest reflection on the Catholic body to call for the investigation in a court of justice of a statement which if false was most libellous; and if true, reflected deeply on the whole character of the justice of the country. Every one must feel, that to pass by such a charge without notice, would be to acquiesce in it. It was but a due measure of precaution, that it ought not to be allowed to remain uncontradicted against the government of Ireland.

Mr. *Tighe* maintained, that the prosecution which had been instituted was an attack on the Catholics, and defended the publication alluded to. He denied that the notice of the Attorney-General bore upon the face of it the character of courtesy attributed it. The publication accused government of having murdered a Catholic. The two causes would come before a Protestant jury, although if the Irish government had any sense of justice they would impannel a fair and impartial jury out of the great body of the country, and not composed of Protestants alone.

Lord *Castlereagh* could not conceive how a prosecution against a man charging the Irish government with the murder of a Catholic was an attack on the Catholic body. He believed that the summons was considered a matter of courtesy. As to the intimation that there was any disposition to pack a jury on the occasion, the hon. gentleman had exceeded even the ordinary licence of parliamentary discussion in advancing such a supposition.

Mr. *Barham* thought, that the intimation which the summons contained might be of service to the subject. If it were compulsory he should object to it; but as it was not so, it was in his opinion desirable to introduce the practice in this country rather than to reprobate it in Ireland.

Mr. *Sheridan* said, that he had been in some doubt whether he would put the House to the trouble of dividing, but the observation of the hon. gentleman who spoke last, and who seemed so eager for the introduction of similar measures in this country, had put an end to his reluctance, and he should there feel it necessary to take the sense of the House.

The gallery was then cleared for a division, when the numbers were

For the motion	23
Against it	67
Majority against it	—44

OVERTURE FOR PEACE FROM FRANCE.] Mr. *Sheridan* was apprehensive the House were already tired of him. However, he did not think it would be necessary to preface with many observations the proposition which in consonance to his notice he was about to make, as he understood that it would be acceded to by the gentlemen opposite. But, undoubtedly, considerable interest had been excited in the mind of the House by the intimation which they had last night received, that his hon. friend on his right hand, (Mr. Whitbread,) had hurried to town for the express purpose of declaring, that he conceived ministers to be entirely wrong, and that the late overture from the French government was the best opportunity that could possibly have been afforded, for entering into a negociation for peace. That the motives of his hon. friend were excellent, no one could doubt; his hon. friend had an unquestionable right to express whatever opinions he conscientiously held on this great question; but he confessed that he waited with considerable curiosity to hear how his hon. friend would attempt to establish his proposition. In the mean time he certainly felt great timidity. He experienced the sensation of a partridge or a pheasant, with a hawk hovering over him—for he very well knew his hon. friend's power, and he had therefore no little reason to dread the vengeance of his beak. But undoubtedly he must hear some very strong arguments to the contrary, before he could be convinced that the late offer of negociation from France did not deserve the character which he had given to it on a recent occasion; that it did not deserve to be called perfidious, insidious, and insulting. Perfidious, because it called upon us to be guilty of the grossest perfidy to our allies; insidious, because it was evidently written with the conviction, that the proposal which it contained could not be accepted, and was not meant as a *bona-fide* offer to us; for he exonerated the policy of the emperor or ruler of France (he cared not which he was called, and considered any dispute on that point as a matter of silly etiquette) from the imputation of holding our understandings in such contempt, as to imagine we should be induced to believe for a moment that the French government thought or meant that their overture should really be acceded to by the British. Insulting, because it affected, on certain flimsy pretences, to induce the British government to depart from the most sacred and honourable engagements, and to abandon her characteristic faith with her allies. To the reply of our government the ruler of France returned no answer. Some people were surprised at this. It by no means surprised him. Buonaparté never cared for any answer to his original proposition. The fact was, that when that proposition was made, he was in the heat of a negociation with the Russian government, and feeling that the negociation was not going on so successfully as he could wish, he sent to Great Britain the overture which we had received, hoping that an impression favourable to his views might be made on the Russian cabinet, when they should find that to obtain peace with England he was willing not to push the boundary of his dominions beyond the Pyrenees, to guarantee the independence of Sicily, &c. but certainly not entertaining the insulting expectation that this stratagem could deceive the British government. In cases of this kind it was always important to look at dates. The French proposition was dated April 17; it was promptly replied to by the noble lord on the 23rd. By some mistake, however, the flag of truce in which our answer was conveyed, was fired at from Calais, and was obliged to proceed to Morlaix. This very much delayed the arrival of the British dispatch, and before it reached Paris the dispatches of the French government, which were dated the 25th of April, went off to Russia. Who then could be surprised that no answer was made to the noble lord's communication? He was persuaded that Napoleon would laugh at those who thought he seriously meant to carry on a negociation for peace with Great Britain. If we could penetrate into his thoughts, we should find the course of them running thus:—" I will send to the Russian cabinet to terrify them with the prospect of my concerting a peace with England entirely disadvantageous to Russia. I am compelled to go to go to war with Russia, and for the purpose of intimidating that power, I will desire the acquiescence of Great Britain in a pretended negociation for peace. I want 150,000 men out of Spain. I will tell England that I wish she would release them by withdrawing her troops, in order that I may use them in my designs against Russia. The answer of England will be, 'What is your quarrel with Russia?'—I reply, because she inexorably refuses to assist me in destroying that maritime strength, and those maritime principles on which alone your existence as a great nation depends. Because Russia will not join with me in destroying the sinews of your power, I make war upon Russia; I ask you, England, to lend me your assistance; and when I have achieved my object, I will come back to Spain, and shall be very much obliged to you." For his part, he could see no proper answer to a proposition which veiled such intentions as these, but precisely that which the noble lord had given. To the proposition that the present dynasty in Spain should be declared independent, no other answer could be returned than that to accede to it would be inconsistent with the obligations of good faith on the part of Great Britain towards her allies. It was whimsical to hear the French minister, in his note of the 25th April to count Romanzow, the Russian chancellor, tell him that the emperor, " constrained to abandon every hope from Russia, before he commenced the contest in which so much blood must be shed, felt it to be his duty to address himself to the English government; and that the distress felt by England, the agitations which preyed on her, and the changes which had taken place in her government, had induced his majesty to take this course." Any one who could really suppose that the French emperor saw the state of our trade, and our agitation, as he termed it, with any thing like affection, or a wish to relieve us, must be more than ordinarily credulous. He gave credit to him (the emperor of the French) for not expecting that such credulity would be shewn by the British government. Indeed the noble lord might very well have replied to his majesty the emperor in these laconic and emphatic words, " Do you think me fool enough to believe you?"—If ever there was a time at which Great Britain might and ought to make a grand struggle, it was the present, when the enemy affected good will towards the country, and pity for its agitated state. Nothing but the Bill which had recently passed through the House could countenance the supposition that there was any thing like disloyalty or disaffection in the country; but notwithstanding that Bill, and notwithstanding the commercial and manufacturing distresses which really existed, he firmly believed that if the point at issue were the degradation of Great Britain by submission to France, there was not an Englishman who would not perish rather than consent to it. He was most happy to hear his hon. friend express himself lately in such strong terms against the conclusion of a dishonourable peace. He was sure that his hon. friend would act up to his professions. But did he recollect that to commence a dishonourable negociation was little less reprehensible than to conclude a dishonourable peace? Was it possible that his hon. friend could be blind to the sole object of Napoleon? Did his hon. friend think that the affairs of the peninsula, or of Sweden, or of Sicily, or any other comparatively minor consideration, prompted his policy and governed his actions? Was it not manifest that a long grudge was seated in his heart; for the gratification of which he alone lived; and that the real object of his ambition was to destroy the maritime superiority of England? Did he even conceal this object? By no means. He had repeatedly avowed it; he had made it the basis of his treaties with other countries. In his proposition to us, was there any expression of a contrite resolution on his part, to abate his hostility to those just rights which we inherited from our brave ancestors, and which it was to be hoped we should leave unimpaired to our posterity? They were rights which the enemy could not wrest from us by war. He (Mr. S) trusted that we should not be wheedled out of them by negociation. The acquisition of them, however, was Napoleon's sole object. With regard to those undeniable rights, he should like to ask if any other nation in Europe, had it possessed them, would have used them with equal moderation? Would the great emperor himself, had he the power at sea which England possessed, use it with equal moderation? It was a libel false as hell to say that Great Britain ever foully availed herself of her maritime superiority. "If there be those," continued Mr. S. "who think that any portion of these rights might be advantageously surrendered, I tell them that I for one, (and I am sure that I am only echoing the sentiments of the House), would rather scuttle this island of England, and allow it to be overwhelmed by the surrounding ocean, than I would surrender one iota of that charter which has appended to it the seal of nature herself; and which—I speak it with reverence—enjoys the guarantee of Providence, manifested in the high glory and prosperity of this renowned nation." To this point alone, however, were all Napoleon's efforts directed. He was at war with Russia for no other cause than that she would not cordially join with him in attempting the destruction of the British empire. Under these circumstances he felt himself imperiously called upon to applaud the conduct of the British government, in refusing to enter into the discussion of propositions which were evidently made with no other view than to have an effect on the politics of the cabinet of St. Petersburgh. Into the details of those propositions he would not enter. It would be time enough for him to do that after he should have heard the observations of his hon. friend, and after the documents should be laid on the table. At present he would content himself with repeating his conviction, that of all the insidious propositions ever made by one country to another, the late overture from the enemy was the most so; and that the worst consequences must have ensued, had any disposition been evinced on the part of the British government to entertain an offer so hollow and insincere. He concluded by moving, "That an humble Address be presented to his royal highness the Prince Regent, praying that he will be graciously pleased to order the proper officers to lay before the House copies of all correspondence or communications between the duke of Bassano, and the right hon. lord viscount Castlereagh, in the month of April last, or at any time subsequent thereto."

Mr. *Whitbread* seconded the motion. He observed that if any person had entered the House immediately after the commencement of his right hon. friend's speech, he must have imagined that his right hon. friend was replying to some preceding speech of his—that he was answering opinions and sentiments degrading to the character of an Englishman, and incompatible with the honour and the rights of his country—that he was attacking one who had denied the validity of those maritime rights of which his right hon. friend had professed himself to be so fond, and which he declared he should wish to see nailed to the mast and sinking with the vessel—and, in fine, that he was repelling the assertions of a man who wished to lay Great Britain prostrate at the feet of France. All this, however, was the mere work of his right hon. friend's imagination.—Not a word of private communication, either verbal or written, had he had with his right hon. friend, from which his wishes or intentions, with respect to the motion before the House, could possibly have been collected; and he did not see, therefore, why an opportunity should be afforded of imputing to him opinions which he never entertained. He well knew that expressions, which he had never used, were already assigned to him in the reports, for the accuracy of which he was not accountable; but he defied any person to prove that he maintained opinions unworthy of an Englishman, or that he manifested any inclination to depart from that just assertion of his country's rights to which every man was bound. His right hon. friend had compared him to a hawk, ready to pounce on a harmless partridge or pheasant. He left it to the House to decide how applicable was the illustration. It was not for him to say how unlike his right hon. friend was to the timid innocence of the poor bird, or how he himself differed from the other part of the comparison. Of this he was certain, that if the opinions just expressed by his right hon. friend prevailed—if the House gave way to the eloquence with which they were urged—if the public at large adopted them, there must be interminable war between England and France; it would be impossible to make peace, it would be impossible even to treat for peace between the two countries as long as Buonaparté lived. His right hon. friend had said, that Buonaparté's object was the destruction of the rights of England. Admitted. Was not our object the destruction of the French government? What did we make war upon France for but for this, even before Buonaparté was born? Had not that been the object of our wars for the last century? Was it ever forgotten by the overweening ambition of England? Buonaparté, no doubt, was solicitous to overthrow the commerce and rights of England; but when countries went to war, such wishes were always reciprocal. His right hon. friend would fain persuade the House that, in the duke of Bassano's letter, there was actually some stipulation against what he called the maritime rights of England; but there was no such thing—there was not one word disrespectful to those rights, or derogatory from the pretensions of England. But he would ask his right hon. friend, and he would ask the civilians of that House, whether, with regard to maritime rights, there was one sort of justice for England, and another sort for the rest of the world? Were Englishmen to have one code of national law, and all the rest of the world another? When his right hon. friend maintained, that England had been wholly blameless in the exercise of her maritime power, and that she had never rendered it oppressive to other countries, he should like to ask his right hon. friend whether, even with respect to Spain, we had never used those rights oppressively? Did his right hon. friend already forget the seizure of the Spanish frigates? Did he forget the unjustifiable aggression which we then made on Spain? Did his right hon. friend also forget Copenhagen? Would his right hon. friend argue, that the stain of that horrible atrocity could ever be obliterated from the annals of Great Britain—or did he forget that it had been stigmatized even by his own powerful eloquence? Nor did the point in dispute between Russia and France concern the maritime rights of England. Russia had refused to continue the negociation unless France should previously evacuate Prussia. He was not the defender of the political immorality of France, any more than of that of any other country; but he contended, that the present was not the time to inflame the people of England by diffusing political errors—by nourishing a feeling of false honour—a feeling inconsistent with the real interests or the true policy of the country. But when he looked at the situation of the continental armies at the moment that such a boast was made about political virtue by his right hon. friend; when he saw that Poland was the scene of battle, it was impossible but that the recollections which that name awakened, must rouse every indignant feeling, and afford sufficient proof that all political iniquity was not confined to France.—It certainly did appear to him, that the late occasion was one, in which an attempt at negociation might have been made with greater probability of success than at any former period. He knew he had always been considered as an enthusiast on the subject of peace; and he undoubtedly did recollect many instances in which there was just reason to think a fair opening appeared for negociation. It must be in the memory of the House, that at the commencement of the war in Spain, he had regarded that as a favourable moment when this government ought to have sent a minister to Buonaparté at Bayonne. When too, after four years of unsuccessful war on the part of France, Spain remained unsubdued, and France became encumbered by a contest with Austria, he thought that was another opportunity which ought not to have been lost, of attempting to negociate with Buonaparté. At the present moment also, when the emperor of France was distracted with a northern war, when he was disappointed in his reliance upon the person whom he had established as the eventual heir to the crown of Sweden, when he was beset with difficulties at home (similar to those which disturbed our own country) he did think that this was a most favourable concurrence of circumstances, and that it would have been prudent in ministers had they even advised the Prince Regent to send a direct proposition to France for the purpose of opening a negociation on the basis of good faith and sincerity. His opinion on the recent rejection of the overture from France was therefore evident. The flag of truce which returned with the answer of this country was indeed fired upon, but it was by mistake, and an anxiety was shown to apologise for it, there having been two messengers sent over for that purpose. He had learned at the time the nature of the correspondence, and it had since appeared in the public prints. He then thought, and he continued to think, that it was highly imprudent in the noble lord to return the answer which he did return. In saying this he begged to be understood as the last man who would submit to any thing derogatory from the national honour. But his right hon. friend would recollect, that had there been a single alteration in the terms proposed as they affected the person who was to be the monarch of Spain—had there been any opening left on that point—it was understood that the negociations would have commenced. The rest of the proposals it was acknowledged were such as deserved attention. But, his right hon. friend had told the House, that the sentence to which he had alluded was perfidious, that it was intended to ensnare us into a dishonourable discussion, that it was to entrap us into withdrawing our army from Spain, and that the emperor of France, having induced us to withdraw our army from Spain, would proceed in his efforts against Russia, and having vanquished her, would tell us that he was very much obliged to us, and would return to achieve the subjugation of the peninsula. Why, if this were the delusive design of the French ruler, he had gone very clumsily about it. He had conceded all the other objects for which Great Britain had gone to war, and for which the war was continued. The independence of Sicily was to be guaranteed. It was to be left to its own king. He recollected that a right hon. gentleman (Mr. Canning) in a former intercourse between the two countries, laid great stress on the kingdom of Naples being left to Murat, on the ground that by some secret convention Sicily would be included under the denomination of the kingdom of Naples. In the negociation of 1806 the independence of that island was deemed to be of so much consequence that it was pronounced a *sine qua non* by the British government. In the late overture however, Sicily was distinctly guaranteed to its own king. Malta too, for which we were expressly at war, was also relinquished. Sweden it must be considered was in the hands of a person, who though bred up in the school of Buonaparté, and raised by his influence to be heir to the Swedish throne, did not appear disposed to obey his mandates, but was likely to become much more formidable in co-operating with us to set bounds to the ambition of France than any preceding monarch of that country. Other objects were also conceded. The East Indies were to be all our own; and the West Indies also, with the exception of such colonies as we might choose to give up. Spain and Portugal were declared independent, and the armies of both England and France were to be withdrawn from those countries, under the understanding that the new dynasty found in Spain was to be recognized by England. His right hon. friend had intimated that he (Mr. Whitbread) was willing to proceed to a negociation even on that basis. He was willing to do no such thing. But there was a wide difference in his opinion between negociating upon that basis, and not negociating at all. Were ministers prepared to proceed to any negociation? If not—if it was their determination to wage incessant war while Buonaparté continued the ruler of France, let them declare it in the face of Europe, let them shut the British ports to every flag of truce, and refuse every overture that might lead to peace. But if this was not their object—if they wished on the contrary to give repose to this harassed country and to the world—if they did intend at any time to proceed candidly in the business of peace, there must be some terms in their own minds upon which they would be willing as a basis to treat for peace. Now, looking to the recent offers on the part of France, what was the fair inference deducible from them? The emperor of France had conceded all the points which had been the subject of former negociations, he had left an opening for further discussion on points on which difference of opinion might exist; and was the conclusion just, that the whole was intended for delusion? Was it not rather to be inferred, that, finding himself pressed on all sides, unsuccessful in Spain, about to plunge into a war with Russia, and harassed by domestic difficulties, the emperor of France came forward at such a crisis and made proposals to this country in the real spirit of sincerity? Indeed, it was his firm opinion, that France had always been sincere in her overtures for peace. He knew that this was very unpopular doctrine in that House, he feared that it was unpopular doctrine in the country; but such was his decided opinion, and he would never hesitate to declare it. The answer he could have wished to have been returned to the overture was this: "Upon such and such terms which you have proposed as a basis for negociation, we are willing to treat; one however excepted, to which we cannot assent; the question with regard to the dynasty of Spain. We do not however ask you to recognize Ferdinand the 7th, any more than we will consent to acknowledge the dynasty which you wish to found; but we ask that the existing authorities in Spain shall be parties to the negociation." Had such been our answer, and had the French government remained silent (as now), or returned a direct refusal, England would then have been completely justified in the eyes of reason, of justice, and of God. Thus far we were bound by the treaty concluded in 1809, with the Spanish authorities in the name of Ferdinand; for whatever might have been his sentiments with respect to that treaty, the deed was done, and it would be dishonourable to retract. But looking at the proposition in another point of view, he saw nothing that justified the jealous precaution of ministers. It was to be agreed that both nations should withdraw their armies from Spain. What then would have been the necessary consequence? Why, that king Joseph must have left Spain very soon after the French army, if indeed he had not found it prudent to retire in the midst of it. If the enthusiasm of the Spaniards in defence of their liberty were as great as it had been represented to be, (and he believed that the lower orders in particular had done wonders) if they were really attached to Ferdinand the 7th, or more properly speaking to his phantom, then it would be impossible to drive him from their hearts, and the retreat of the French must have been followed by the total abolition of the new dynasty. That part of the proposition therefore appeared so clearly tantamount to an actual renunciation of the views of Buonaparté with regard to Spain, that he saw nothing in it which could justly excite the jealousy of government. Thus he had shown all that he would have had ministers do; he had shown all the degradation and all the humiliation to which he wished this country reduced. Where then was the absurdity which the right hon. gent. seemed to anticipate from him when he laid down the proposition, that the Spaniards must be admitted to the negociation? The ruler of France had formerly treated the Spanish authorities as insurgents, as rebels against legitimate authority, and as not admissible to any negociations. Now he had consented to guarantee the integrity of Spain, to withdraw his troops, and in fact to allow the Spaniards the free election of their king. The war had now lasted so long, that members of that House who witnessed its commencement had grown old during its continuance. For his part he knew not why it was commenced, he knew not why it had been recommenced by the rupture of the peace of Amiens, and he knew not why a negociation for its termination should not now be entered into. As to the violent hatred against this country which his right hon. friend ascribed to Napoleon, no one would deny, that it could not be stronger than ours against him. As it happened in the case of Louis 14th, otherwise *le grand Monarque*, every person in this country seemed lately to have a sort of personal quarrel with Buonaparté, and to regard him as a personal enemy. To feed this national enmity the war had been carried on. It was nevertheless but a very unsatisfactory feeling to cherish in a nation, and had better be repressed, as leading to interminable warfare. No one would deny that Great Britain had made the greatest efforts against France, by leagues, by subsidies, and by the direct assistance of her arms. No one would deny that continental powers, when beaten in the field, had made treaties with Buonaparté, which, through our instigation, they intended to break at the very moment that they concluded them. If therefore, we persisted in this course,—if we placed ourselves in this position of irreconcilable hostility, and if our object was avowedly the destruction of the French ruler, then of necessity his object must be our destruction.

A century had now elapsed since the treaty of Utrecht. Some time before its conclusion, Louis 14th was so humbled by the blows which the power of France had received, that his situation was almost pitiable. After a series of disasters, he was thrown at the feet of the deputies of Holland, who abused their success by trampling upon the proposals of this once mighty monarch who had threatened their existence. They thus drove him to an extremity, and by a change of measures in this country, and by the efforts produced by despair, Louis ultimately obtained the object which had cost the allies so much blood and treasure: he retained most of his conquests, and the family of the Bourbons was established on the throne of Spain, and even on that of Naples and Sicily. Examples of that sort ought to teach us the lesson of embracing proposals that had the appearance of fairness, for by aiming at too much we might lose every thing. His right hon. friend had talked of the refusal on the part of France, to evacuate Prussia, as a justifiable ground of war on the part of Russia. But it ought to be recollected, that Prussia was in effect a conquered country. And why was she so? Because, unmindful of her weakness, she had madly plunged into a war with Buonaparté, when he, in the negociations for peace with this country, proposed to take Hanover from Prussia, and restore it to the British dominions, in compliment to the British sovereign. Prussia refused to relinquish Hanover, and commenced a war which speedily ended in her irretrievable ruin. Had Buonaparté, in his recent overture, held out the offer of the restoration of Hanover, he (Mr. W.) should then have agreed with his right hon. friend, in considering the proposal wily and insidious; because it was a thing so highly insisted on formerly, and which would be so flattering to the crown of this country; although he conceived, that under the existing circumstances of Europe, such a restoration would be a most unfortunate occurrence. Taking another view of the late events, he would be glad to ask ministers how it happened, when they returned such a direct negative to all negociation, that they were so unprepared to avail themselves of the state of things in the north of Europe? His right hon. friend seemed to think, that we were indebted to Russia for her conduct,—nay, that she was even favourably disposed to our naval superiority and our maritime rights. In his opinion, however, Russia had acted from no feelings of friendship towards us. To her we owed no thanks. It was from the pressure of her own necessities alone, that she insisted on a commerce which was incidentally beneficial to us. His right hon. friend must have forgotten all history, if he thought that Russia wished to see our maritime power permanently established. Its preponderance was perhaps naturally an eyesore to all nations who had ships upon the seas, and the armed neutrality, of which Russia was the soul, could not be forgotten. It was an observation of the late Mr. Perceval's, that the enemy had converted commerce itself into a sword against this country.—Ministers, however, seemed to have been unprepared for the rupture between Russia and France. Lord Cathcart was now about to set out as ambassador to the Russian court, but, not being quite so sanguine as some hon. gentlemen, he (Mr. W.) should not be surprised if Buonaparté arrived at Petersburgh before his lordship. And what was to be gained by the contest? What was the situation of the Russian finances? Was it to be again proposed that money should be drained from our pockets? Was the vote of credit to be expended in subsidizing Sweden and Russia? Judging from the experience of the past, were subsidies likely to effect any thing towards the attainment of a permanent peace? He would rather the country should perish than submit to any thing dishonourable; but let it not perish—let it not become the scene of internal convulsion, from a false notion of honour. What too was our situation with regard to America at the moment when we refused to enter into this negociation with France? We had not at that moment revoked those measures which were hurrying us to destruction, and we were boldly maintaining that America could not—that in fact she dared not make war on us. Now, however, we had fatally found that she could make war on us, and that she had actually proclaimed war against us; and by the latest advices which had been received from that country, there was every reason to believe that the executive had added its sanction to the decision of the two houses of legislature. He sincerely hoped, however, that an actual rupture between the two countries would be avoided by the notification of the repeal of the Orders in Council. Some persons affected to think lightly of a war with America. He differed from them. He considered that it would be one of the greatest curses that could be inflicted on this country, and that in its consequences it would be much more prejudicial to us than to the Americans. He called upon our financiers to state how they would support such a war? He called upon them to state what would be the effect upon our finances of such a sudden check to the reviving manufactures and commerce of the country? Into what a scene were we plunging! A new coalition forming against France, and an obstinate refusal on our part to listen to every offer of accommodation!—He concluded by expressing his hope, that he had not advanced any of those absurd, extravagant, or contemptible propositions which his right hon. friend seemed to have anticipated from him, and that he had not recommended any thing derogatory from the character of the British nation. The motion was one of which he cordially approved; and he should himself have made it, had it not been made by his right hon. friend. He had no doubt that he should be misapprehended, as usual. For unpopularity he was prepared; but, whether his sentiments were popular or not, he experienced in having delivered them the satisfaction of feeling that he had done his duty.

Lord *Castlereagh* observed, that it certainly was not his intention to oppose the motion, and that the speech of the right honourable gentleman who made it, was one that had considerably narrowed the discussion as far as related to himself. At the same time, some things which had fallen from the honourable member who spoke last, called for a reply; and he would put it to the House, whether it was not a violation of all sound reasoning, to consider the answer returned to the French government, as a direct negative upon all negociation; whether his Majesty's government were not bound to give the answer which they had given? and whether they would not have forfeited the good opinion, and incurred the contempt of Europe if, in proceeding to a negociation with the enemy, they had neglected to maintain good faith with their allies? He would say, that any other answer would have been a dereliction of duty. He was far from contending for the principle of interminable war, nor would he justify the proceedings of government upon any such principle; but at the same time, he thought they would study the lesson of the last twenty years to very little advantage, if they adopted the feelings of the honourable gentleman, who, so far from having any jealousy towards the French government, not only thought the present moment the most proper for negociation, but also contended, that every overture from France, during the last and present war, had been made with sincerity and good faith. He did not think any other man in the empire would affirm that proposition; and if the honourable member did really think so, he would say, that his mind must be practically disordered upon that particular topic. He (lord Castlereagh) thought there was something in the time of making the overture that seemed suspicious; for it had always been the policy of the French ruler to make propositions for peace to this country when he was about to place himself at the head of his armies for purposes of the most extensive conquest. The right hon. gentleman who made the motion had justly observed, that those propositions were seldom sincere, but that they were to be considered as one of the instruments in the shape of negociation to be turned against the enemy he was going to crush. The hon. gent. might have referred to a period when those with whom he himself usually acted were in the confidence of his Majesty. He might have stated that the earl of Lauderdale was sent to Paris to negociate; that Buonaparté was on the eve of his departure for Prussia; that he left the noble lord at Paris, headed his army, and the negociation terminated. If the hon. gentleman had referred to the period of the noble lord's journey to Paris, he might have obtained much illustration of the policy of opening negociations for peace with Buonaparté.

The hon. member had suggested the species of answer that ought to have been returned to the overture from France: but what was the answer that was returned? It merely required to know the meaning of the proposition; and that request was accompanied with the most distinct assurance, that if the basis proposed with regard to the Spanish dynasty was such as could be received by this country with due regard to its honour, we were perfectly ready to enter into explanations upon all the other topics, as preliminary steps towards pacification, anxious as the

British government was for the general peace of Europe. We simply asked, do you mean the dynasty of Spain, as acknowledged by the Spanish nation, and as centered in the person of Ferdinand 7, or do you mean the dynasty attempted to be established in the person of king Joseph? Such was the nature of the reply, and what other reply, consistently with the dignity and good faith of the British government, could be returned? If the proposition was meant not to gain time, but to try the honour of the British nation, he would say that it was most insulting.

The government of Russia, he had no doubt, was inclined to peace; and although the honourable gentleman had assumed, that the war was occasioned by the demand on the part of Russia, that France should evacuate the Prussian territory, the real cause of the war undoubtedly was the numerous violations on the part of France of the treaty of Tilsit, and the conviction on the part of Russia, that it was the intention of France to heap every possible indignity on her, and to add encroachment on encroachment, and that as war at some time or other would be absolutely inevitable, it was better to fight them at the present time than after they should be less able. The honourable gentleman seemed to possess that confidence in the possibility of a peace at present, which had never once quitted him. In his (lord C.'s) opinion, nothing had a greater tendency to unhinge the country, and to paralyze its efforts, than all unwise attempts at peace at a period when no rational hope could be entertained of the realization of such an event. When the British government, however, was asked the question, he trusted the answer was such as shewed no aversion or unwillingness on the part of that government to enter upon discussions relative to peace. No person could possibly view that answer in the light of an insult; there was not one expression in it calculated to discourage the emperor of France from entering frankly on the discussion if he wished it. But when he shewed that he was not even prepared to disavow that part of his proposal relative to the appointment of Joseph Buonaparté to the throne of Spain; they were entitled to conclude that he considered this a *sine qua non* in any discussion. The matter was not left open to discussion; no person would pretend that it was. Now the hon. gentleman himself had said, that he would not recommend peace with France on such a *sine qua non;* and he contended, therefore, with perfect fairness, that he was entitled to the support of that hon. gentleman that night on the line of policy adopted by the British government. The honourable gentleman had said, if the French were to withdraw their army from the peninsula, Joseph would no longer be king. He admitted it. But did it never occur to that hon. gent., that Buonaparté might not withdraw his forces from the peninsula? He never, in fact, could withdraw his armies from that quarter. By the line of conduct recommended by the hon. gent. we should have paralyzed all the exertions of our army, and lost all the advantages which they had gained for us; it would be attended, in short, by every possible disadvantage, and no one advantage. The efforts of Russia at that critical moment would have been paralyzed. It would have been easy for any one of his counsellors, if so disposed, then to hold this language to the emperor of Russia. "See, now Great Britain has withdrawn from the contest—there is no alternative. You must now crouch to Buonaparté—you must get the best terms with the great emperor that you possibly can." He would not enter upon the conduct of this country in former negociations; but he was convinced that a more disastrous proposition could not be imagined than any attempt towards negociating at present; and he was also persuaded, that the country from one end to the other was persuaded that peace could not be obtained on terms which it was possible for the country to accept, and that the only effect which any discussion upon the subject could at present have, would be to paralyze its exertions. He certainly did not mean to say, that the present ministry were resolved to wage an interminable war with the emperor of the French; but he thought they ought not to possess the confidence of the country if they did not, from a consideration of the nature and organization of his power, and the councils on which he acted, consider every overture which he might think proper to make to this country, with the utmost distrust. He repeated that he had no objection to the production of the papers moved for.

Mr. *Hutchinson* commenced by repeating the last observation of the noble viscount (Castlereagh), "that the evincing a disposition on the part of his Majesty's ministers to treat for peace at such a crisis, would be above all things objectionable, as the withdrawing the British troops from the peninsula would doubtless be degrading to the character and reputation of this country, and at the same time that such conduct could not but have the effect at this critical moment, of chilling the exertions of Russia." He (Mr. H.) expressed a sanguine hope that the noble lord did not mean to insinuate that any encouragement had been held out by this country to Russia, to recommence hostilities against France.

They must be greatly ignorant indeed of the real danger to which Russia was exposed, if they could contemplate the present situation of that empire with any other sentiments than those of regret, apprehension, and alarm. He was anxious to avow that no Russian subject could feel more interested in every thing connected with the welfare of that great empire than himself; nor more desirous for a successful termination of the tremendous contest in which she was engaged. He had not the smallest doubt that her brave troops would continue to sustain the honour and glory of her arms; that with whatever difficulties they might have to struggle, they would not fail to evince their wonted patience, discipline, and courage; he repeated that he wished them success from his heart, though he trembled for the result of the contest.

It had been observed that war had commenced between Russia and France, because the latter had declined to withdraw her troops from the Russian territories. This however was not the case; prince Kurakin's letter demanded the complete evacuation of the Prussian states, of all her strong places, a diminution of the garrison of Dantzic, the evacuation of Swedish Pomerania, and an arrangement with the king of Sweden. Unfortunately Russia was in no situation at that moment to be entitled to make such demands. She had lost the opportunity when she might have held such language with effect; but having permitted the emperor of France to go the length he had, it was puerile to expect he would be disposed to accede to any terms such as those contained in that letter. No doubt Russia had sufficient provocation for making war, but she declared it too late, and in a tone ill suited to her situation; untaught indeed by experience must be those who can await the issue with any other than the most fearful anxiety. If ministers had in any way contributed to this war in the North, they were highly culpable. He had on a late occasion (the Vote of Credit) deprecated the application of the revenues of the empire to the purpose of exciting any of the continental powers to draw the sword against France. Such policy had unfortunately but too fatally operated in those countries which had been influenced by our councils, and had very essentially contributed to the embarrassed state of our own finances.

Finding Russia engaged in a war with France, we should no doubt be disposed to afford her assistance, but he begged to remind ministers of the fate of the late king of Sweden, who possibly lost his crown in consequence of our having furnished him with the means of persevering in a mad, unequal contest. He entirely differed from Mr. Whitbread, that "we owed Russia no obligation;" on the contrary, he was convinced that we owed her the greatest, and that her natural disposition and real interest, led her to wish a close connection with this country. He hoped that now at least, there was an inclination here to do her justice for the sincerity and manliness with which she conducted herself in the late war with France, which terminated at Tilsit, so fatally to her interest, though not ingloriously to her arms, and that we were at length ready to recall those base defamatory charges, with which we had not scrupled to outrage and offend the Russian court and people on the late breaking out of hostilities in 1807, when we compelled her to draw the sword against us, by a wanton violation of the neutrality of that power with which we were ourselves in amity at the moment, whose independence Russia was by solemn treaty bound to protect. He felt, therefore, that she had the strongest claims on us, while our past conduct had been offensive and irritating; but he should be indeed indifferent to her fate, and unobservant of her danger, did he not feel pain and apprehension at the passing events. He repeated that he feared she had lost the moment. So early as 1808, when in her capital, he advised (even at that period), the adoption of precautionary measures against her new friend and ally, whose ultimate views he then foresaw, and pointed out. But instead of husbanding her resources, her strength was wasted in Swedish and Turkish wars, thus leaving the most vulnerable part of the empire, that too where the enemy was sure to make his first essay, (as the event has proved), much weaker than it otherwise would have been, had not her confidence in France rendered her rash and unsuspicious.

The right hon. gentleman (Mr. Sheridan) conceived that one of Buonaparté's objects in his late overtures, was to enable himself to withdraw a hundred thousand men from Spain for his war with Russia.—Surely on a comparison of the relative strength of the two powers now in the field, it must be very evident that Russia was already greatly overmatched. But the right hon. gentleman seemed much displeased, that any reference should have been made to the commercial and manufacturing distresses of this country,—to the local agitations—to the late change of ministry, and to our very serious financial difficulties.—This allusion of Buonaparté to the present state of England, the right hon. gentleman considered as 'trash.' What, though the present may not be deemed by our wise heads at home, a fit and proper moment to treat for peace, will any man gravely assert, that the circumstances alluded to in the French official paper, were not of a nature to be taken into consideration by a government, when proposing a pacific overture? But no, we are to reject with disdain all propositions for peace, in full confidence of our peninsular successes! Undoubtedly too much praise could not be bestowed upon the noble lord and the gallant troops he commanded; every thing which talent, discipline, and valour could accomplish, might be fairly expected from their exertions, but it would be idle to look for ultimate success, if that army were not greatly encreased, and Spain organized far differently from what she had hitherto been. He had often said in that House, and he repeated that Buonaparté could afford this contest still to linger in the peninsula, without having to dread an ultimately fatal result to his arms. He did indeed agree that this was a most critical moment, but he feared we should let it pass, as we had several others during this long protracted contest. It was by availing ourselves of such and every opportunity, that we could alone expect final success, but it would be too late to defer our preparations till the instant for action presented itself. With this view he had earnestly urged the House last year, and before, to carry their views a little forward, and to make such military preparations, as might enable the country to take advantage of any fortunate occurrence. He had then assured them that their exertions were not in any degree proportioned to their means, or adequate to the occasion. He had long since pointedly directed the attention of ministers to the formidable preparations of Buonaparté in the north of Europe, and particularly warned them as to his views in Poland, but after four years contest on the most favourable theatre for our exertions, ministers had not been able to afford lord Wellington an effective force of 40,000 men; nor would they now send his lordship adequate reinforcements, or any effectual support to the north of Europe, should circumstances render such an undertaking desirable. He was answered last year by ministers, that "they would rather be accused of doing too little than too much." We indeed talk this matter well, while we are acting like children. What have been Buonaparté's exertions?—We recollect his past achievements. Let us look to the magnificent military spectacle which he now presents to the view of astonished and degraded Europe. He at least foresaw his difficulties, and ably prepared to meet them. But the right hon. gentleman (Mr. Sheridan) asks, "if we can discover in his proposition to us, any thing like contrition—any disposition to abate his hostility to those just maritime rights which we have inherited from our brave ancestors, and which he hoped we should leave unimpaired to our posterity, declaring it to be a libel false as hell, that Great Britain had ever foully availed herself of her maritime superiority, or that any other state possessed of such power would have used it with equal moderation and mildness." If the right hon. gentleman was not disposed to make peace, until the emperor should have marked his contrition for past conduct, and his readiness to submit to the maritime rights of England as at present exercised, the prospect of peace was gloomy indeed.—Contrition and Buonaparté! how reasonable the expectation! Without the smallest prejudice against the French people, no man had been more anxious to resist and restrain the greatly overgrown power of France than he had been,—he had proved his sincerity not by words alone but by actions, and on several occasions; but he was sick, and disgusted with this war of words. We seemed to have made alliance with falsehood and folly, and to be blind to the dangers which even awaited ourselves. In every thing relating to the strength of the enemy, we were most sceptical, whereas we as eagerly received and believed every report and conjecture to his disadvantage, however unfounded and absurd; at one moment all the French troops, in a state of disease, were detained on this side the Vistula; at another the greater part had deserted—general Moreau had headed the Swedish army which had placed itself in the rear of the French. Marshal Massena having joined the Russian standard had left Buonaparté and his troops, just issued from their hospitals, in a fair way of being starved to death in the forests and desolated plains of Lithuania, while the "unintelligible French bulletins" too evidently betrayed the terror and discomfiture of these tyrants. All this real "trash" was gulped down by honest John Bull, who believed himself invincible, because his eloquent and enthusiastic orators assured him that he was so. It was the fashion to paint the conduct of France in the most hideous colours; Buonaparté and his troops were accused of every vice, and every excess; while the immaculate conduct of Great Britain was constantly held out for imitation, and the theme of perpetual praise. He felt himself obliged to deny the mildness and moderation with which it is asserted we exercise our maritime rights—and with the member for Bedford he reminded the right hon. gentleman (Mr. Sheridan) of our conduct at Copenhagen and the Dardanelles. If he were not apprehensive of wearying the House, he might instance a variety of similar instances of mildness in this, as in former wars; and he desired to know why we were at this instant at war with America, if such had indeed been the mild exercise of these maritime rights. The right hon. gentleman seemed to regret that ministers had not given a more angry and insulting answer to the late proposition,—he was sorry to hear such sentiments, which however he feared were but too indicative of the prejudices of the country. For one he was for war with energy, or peace with honour, and that speedily. And when he compared our war system with that of the enemy, he had no hesitation in thinking that it would be wise to predispose the public mind to peace. What were our objections to treat now with Buonaparté? By the treaty of Amiens we had abandoned the Bourbons, and recognized him head of the French government—Was it his title to the throne of France? No conqueror had ever established a better, or to all appearance, a more secure one. He perceived that this sentiment was not popular in the House, yet he repeated it, and would add, that he knew no conqueror of ancient or modern time, who had less exerted the great power he possessed in the commission of individual acts of oppression than had Buonaparté. Here again, he found himself interrupted by symptoms of displeasure, but he would abide by what he had said. As a conqueror, the greatest ever known, he had doubtless to answer for much outrage and misery; to conquer implies these—and they must be in proportion to the extent of such conquests—"What millions bled that Cæsar might be great." Did we forget our own conduct in the eastern world alone, when we thus loudly arraigned that of Buonaparté in Europe? Were we indisposed to peace from the dangers and difficulties in which we considered him at present involved in the North? They are indeed great, but it is to be feared, not too great for him to overcome. Was it his haughtiness to the powers of the continent that displeased us! Had we indeed to learn that this demeanour was unfortunately the too natural, however offensive, concomitant of prosperity, unbounded as had been hitherto that of this extraordinary man. Or were we for the protraction of this contest, in the vain hope of thus being able to prevent France from possessing a navy! Look to the map. Were we for perpetual war, confidently relying upon our own resources and the exertions we were making? Was it upon the numbers we brought into the field that we relied? Look to their amount, and consult their distinguished and noble leader, as to their sufficiency for this terrible conflict, in which, however paradoxical it may appear, defeat seems little to weaken the enemy, or the most brilliant victories to advance the cause of the allies.

The noble viscount (Castlereagh) had alluded to the conduct of the French ruler, whose practice his lordship observed it had been to make propositions similar in effect to the one now under consideration whenever he was about to place himself at the head of his army for the purpose of extending his conquests. Mr. Hutchinson considered this conduct only as affording proof of his determination to seize every opportunity of marking that

England had no right, nor any means of effectually interfering in the disputes and arrangements of the great continental powers, and that his being about to decide by arms a quarrel between France and any other of these powers, constituted no impediment whatever to his concluding a maritime peace with Great Britain. In this view of the subject he could not agree with the noble viscount in considering these proposals at such a moment as insidious or insincere.

Lord *Castlereagh,* in explanation, said, that the language of this government to Russia was always that of caution, and not of excitement. It was always signified to her, that if she were to determine upon war, she must look only to her own resources, and not to this country. But, although this language had always been held, yet government could not avoid considering how far the overture made, was intended to the prejudice of Russia; and acting accordingly.

Mr. *Canning* would have been induced by the state of the House, the period of the session, and the clearness of the question itself, to abstain from making any observations on the present motion, had not some of the hon. gentlemen who had spoken, applied such strong stimuli as to overcome his inertness on the occasion. It had been his intention to put a question to ministers on a point alluded to by the hon. gentleman who spoke last. The question, however, had been satisfactorily anticipated by the explanation of the noble lord. He was confident, indeed, before the noble lord made the explanation, that this country could never have so widely departed from the policy maintained by the government when he had the honour of being in office, as to induce a power, situated like Russia, to commit herself into a rash and hopeless contest with France. It had always been felt to be the interest of this country, to preserve as much as possible of the wreck of the ancient states, in order to afford a chance at some future period for recovering the independence of Europe; and every renewal of hostilities under circumstances which afforded no prospect of a favourable issue, could be considered only as an advancement of that consummation to which this mildest and most benevolent of all conquerors was most anxiously looking—the destruction of this country.—He was confident that the British government had not only held the language of caution to Russia, but also the language of advice—that they had told her that to engage in war, on the principle of all former European wars, relying alone on regular exertions, would be absolute madness—that unless the war was completely national, and unless the government were disposed to sacrifice that which they were probably not disposed to sacrifice, she could have but very slender chances of success; and that unless she resolved not merely to fight a battle on the frontiers and then hasten to sign whatever peace might be obtained from the conqueror, but to wait until the injustice and oppression of the enemy should rouse the energy of the remotest parts of that great empire, she could entertain no hope of ultimate triumph. It was a great consolation to him to hear that this country was not responsible for having drawn Russia into war by its advice, and he hoped that we should not become responsible to the world for failing to give Russia whatever support it might be in our power to afford her. He had heard with considerable surprise the hon. gent. who seconded the motion maintain not only that the recent overture was made in the spirit of sincerity, but that all the former overtures of the ruler of France were made in a similar spirit. He had heard with still more surprise the hon. gentleman who had just sat down declare, that no person in ancient or modern times ever merited a crown better than Buonaparté. This was language which he would venture to say (without meaning any offence to the hon. gentleman) would be very ridiculous, did not the immorality of it render it highly dangerous. Hitherto it had been some security for the peace of the world, that the most successful usurpers had not in their life-time reaped the full fruits of their crimes; their successors indeed, inheriting their power without their guilt, might, when the deeds of their ancestors were in a great measure forgotten, establish an influence over the minds of mankind; but it remained for the present age to crown with praise an unhallowed conqueror, and to teach him not only to look without fear to posterity, but to demand applause and admiration from his contemporaries themselves. Such a sentiment was dangerous beyond the interest of the present debate. It was new to the House and to the country. It had never been hazarded by any historian of upstart power. No lover of liberty had ever advanced it; satisfied as he must be that the best security against oppressors and usurpers was to arm even with an impotent hand the minds of mankind against those infringers of their just rights, and to lay up in the exasperation of the present moment the materials of future punishment. An hon. gentleman appeared to find some justification of Buonaparté in the conduct of Louis the 14th. He had found a parallel not in that portion of Louis the 14th's life, in which the historians of his own country reprobated his ambition, but in that in which he was entitled to sympathy; the period when supplicating for peace at the hands of those whom he had been seeking to enslave and to exterminate, he was met by an ungenerous demand that he should not only relinquish all his conquests, but turn his arms against the throne of Spain. This demand Louis had still spirit to refuse; and it must be allowed that it was a demand which the allies, even in their triumph, had no right to make. But where was the applicability of this illustration? Were we to be expected to do now what it was deemed unfair to demand of Louis in his greatest distress? Were we to be required to turn our arms against that very throne in Spain which we had hitherto supported, and to the maintenance of which we were bound by every obligation of good faith? If we were to recognize the dynasty of Joseph as a preliminary basis, we should do the same thing which the hon. gentleman thought it so unfair to require Louis the 14th to do in his greatest distress. The fate of Spain was in suspence, it was at the issue of war; and neither France nor England therefore had a right in any negociation to assume that as a basis which the event of war alone must determine. Whatever advantage there might be in a peace with France, if there was a single point of dishonour in the proposals for such a peace, it became this country to forego all the advantage and make its stand on that point until it should be conceded. He had heard it somewhere stated, that by way of amiable mistake we might have entered into the negociation under the idea that the dynasty of Ferdinand the 7th was meant by the terms "the existing dynasty." Such a mistake would have done great credit to the candour and simplicity of the British government, but would have redounded very little to their judgment. It was one of the blessings of a free country that every thing was made the subject of discussion; but it was one of the disadvantages of such a country, that many subjects were discussed without full and perfect information. It happened therefore that on many questions the judgment of contemporaries and that of posterity were not the same. He made this observation with reference to a part of the correspondence recently published by Buonaparté, which gave him great pleasure and pride. Having been one of those who in 1807 participated in the order issued to seize the Danish navy at Copenhagen, it was certainly a great gratification to him to find that Buonaparté, by a slip of the pen, or not supposing that question was likely to excite any further interest in Europe, had avowed that by the treaty of Tilsit, it was settled between France and Russia, that if England refused the peace that was to be offered to her, Denmark was to be compelled into a war against this country. What, he would ask, might have been the consequences had that blow not been averted? Now, although he was aware of all this at the time, and government were perfectly apprised of it, yet it was not generally known. It was certainly some consolation to him that all doubt on the subject should be at length removed, and that the confession of the ruler of France of the fact completely confirmed the arguments by which the cause of this country was at that period justified. Had the proposition made by France been founded on any practicable conditions, he admitted that the time would have been favourable for the negociation of a peace. Though Russia had been goaded to war by a series of oppressions and insults, he by no means was disposed to contend that her remaining tranquil, had it been possible, would have been much preferable. But our answer was correct; for no step could be taken till the preliminary point was settled. The war was talked of as if it turned on the mere evacuation of Prussia, and Prussia was called a conquered country; but if Prussia had been conquered by France, she was subdued only by perishing in her enemy's embraces. For three years Prussia had been held out as the most obsequious ally of France, and yet at last she was doomed to destruction in the midst not of her enemies, but of her friends. Great and magnanimous as this modern conqueror had been called when compared with those of former times, yet in the history of those it might be seen, that if some of their opponents fell by war, others escaped total ruin by treaty. With Buonaparté, however, it was found, that those who ventured to oppose him in the field had some chance of safety, but those who relied on his friendship none—that hostility appeared sometimes to soften him, but concession never. What could equal that last disgrace of a great European state at present exhibiting—an Austrian army marching under the conscription of France against a power with whom Austria knew that she had a common cause! With regard to the conduct of Russia towards us, undoubtedly for some time past, she had stood in a situation which would have justified on our part the most vigorous measures. Perhaps we ought to have made her feel all the dangers of her connection with France, and feel what a war with England was, before she became enveloped in the toils of the common enemy. But were we, after all, the less bound to assist her? Would such coldness be characteristic of this country? Witness the case of Spain, with whom we were at open war when Buonaparté committed his aggressions on her. Let that example of our conduct be the signal to all other nations. He understood that his right hon. friend, whose speech he was sorry he had not heard, had objected to some part of the correspondence, as if the proposal concerning the keeping of those possessions which could not be re-taken by arms, involved the security of our maritime superiority. That possession was the very one, which, of all others, would be the most difficult to take from Great Britain by the force of hostility. An hon. member had alluded with great lamentations, to the state of war in which we were now placed with America. He (Mr. C.) equally lamented that event. No prejudice, nor mistaken hostility, nor other accident, should prevent him from using every fair means of recalling the two countries to a state of peace; but if we were doomed to defend ourselves against an accumulation of enemies, he might take the motto which had been adopted by a French monarch "*nec pluribus impar*:" yet would he more gladly subduct the war with America from our contests, than any other of those in which we were compelled to engage.

Mr. *Whitbread* in explanation said, that the right hon. gentleman had misconceived what he had said throughout.

Mr. *Hutchinson* declared, that the right hon. gentleman had grossly misrepresented him. He was speaking of conquerors when he made the observation complained of; and had said, that all conquerors had been guilty of oppressive tyranny and cruelty, though he thought the ruler of France had been less guilty than the others.

Mr. *Canning* had listened to the explanation, but retained the same opinions which he had expressed.

Mr. *Hutchinson* said, he understood that the right hon. gentleman accused him of being the champion of immorality and tyranny. The accusation was false.

Mr. *Canning* observed, that he had never used the word "Champion". What he had said he would repeat.

Mr. *Hutchinson* said he might, perhaps, not be quite correct in supposing the word "Champion" to have been used; but he must repeat that———

The *Speaker* requested the hon. gentleman to confine himself to the explanation of his own language.

Mr. *Hutchinson* then said, that it was a gross perversion of his argument, to assert that he had said any thing to make him appear either as champion, or advocate of immorality; and that such an accusation was grossly false.

Mr. *W. Smith* could not think that any gentleman would think the hon. member an advocate for immorality or tyranny: and he could not suppose that the right hon. gentleman imputed to the hon. genman any such disposition. With respect to the overture which was the subject of discussion, he thought the language of Buonaparté could not be misunderstood. When he proposed that we should agree to recognize the present dynasty of Spain, it could not be doubted but he meant that dynasty which he had placed there; and this being the fact, it was impossible for us to treat with him on the basis proposed. No man wished for an honourable peace more than himself, but he was not anxious for a peace, to obtain which we must give up both our interest and our honour. —At the same time he expressed his regret that we had not accomplished greater objects in the peninsula, and that even while the French armies were so busily occupied in the north of Europe, the Spaniards were evidently unable to raise the siege of Cadiz.

Mr. *Sheridan* said, he would not occupy much of the time of the House in reply, though he had taken pretty full notes of the speech of his hon. friend (Mr. Whitbread), intending to answer every article of it. But, passing that by, he should come to the speech of his right hon. friend opposite (Mr. Canning), who had commented on a speech of his (Mr. S.'s) which he did not hear. He did not mean to find particular fault with him for not being present; he himself was often absent: but he believed he never answered speeches which he did not hear. The right hon. gentleman seemed to think he had magnified the conduct of Russia. He could not state any thing very particular respecting the disposition of Russia; nor did he know whether she was prepared to renounce the principles of that armed neutrality, of which the object was to strip us of those rights which, he was proud to say all the efforts of the powers of the North could never do: but it did appear from the papers published, that Buonaparté made it a chief ground of complaint against Russia, that she had refused to join him in stripping us of that great charter which was the life and soul of the power and independence of this nation. The idea was preposterous that Buonaparté should ask us to give him the means of relieving his army in the peninsula, by negociating a peace, while he took Russia's refusal to aid him in his meditated destruction of our maritime right as a cause of war against her. His right hon. friend said, that now he could give us a justification of the affair at Copenhagen. That act had never appeared justifiable on any principles of political morality or national honour, and was only said to have been committed for the sake of our safety; but if his right hon. friend knew of the existence of a secret article in the Treaty of Tilsit by which Russia was bound to compel the Danish fleet to join in the war against us,—why had he not told parliament of it, when he might have used it as a justification? How came he to conceal it from the House of Commons? He could have said he got the secret from a spy, perhaps; but yet, he might have told us that he knew it. Nobody reprobated the seizure of the fleet more than he did; but it would have become his right hon. friend quite as well if he had revealed the matter at the time, and had taken off much of the displeasure and horror that were felt. His hon. friend behind him, (Mr. Hutchinson,) had said strange things of the pure Napoleon, and his gallantry doubtless would make him abide by his assertions. If he (Mr. S.) had seen some mighty conqueror sword in hand, marching over Europe, and smiting down one state after another, he might have respected the valour of the man, while he deplored and detested his wasteful ambition; but what must he think of a being who, to attain his vast objects, violated every principle of honour and morality among nations, perpetrating every species of public crime; who, while he subdued some states by his arms, descended to cajole and trick others out of their liberty? It was said, that it was natural enough for us to hate Buonaparté, from the provocations he had given us: but what could be said of his conduct to Spain? There he went as an ally, introducing his own armies into the country on various subterfuges and pretences, getting the army of Spain into the North of Europe in his own possession, instigating disorders and bribing the king, and then getting both the king and the prince of Asturias into France, and there compelling the queen to the disgraceful act of bastardising her own son! This conduct was destitute of the manners and feelings of a gentleman; and he could hardly conceive any thing in the shape of a gallant soldier that could have been capable of such debasement. And was this the man, was this the conqueror, who was so worthy of a crown? Let not the people of England stoop to panegyrize such a man! let him have his French crown; but let it be our business and our duty to take care that he never should gain the crown of England! he had heard much said about the character, and genius, and renown of Buonaparté; but he wished to see this practice of extolling him discarded. Although no sycophant, or supporter of the present ministers, he must yet say that he thought they returned a right answer to Buonaparté's proposal. His main object was not Sicily or Spain, it was to fight against and overturn that maritime power of Great Britain, which he (Mr. S.) would deny having been so much abused as was pretended, though exercised occasionally with some roughness and error. How did gentlemen think that power would be used if it were placed in other hands? Shew him the safe and honourable way to a reasonable peace, and none would be more forward to pursue it: but he must deprecate all those arguments and representations that indisposed men's minds to war, before they had the prospect of obtaining a secure and honourable termination of hostilities. The pressure of the times, and the extent of taxation, were topics always ready. It was said, shall we send subsidies to Sweden and Russia? The same was said before, about sending subsidies and men to the peninsula, and it was asked what good could come of it? What good had come of it? Take Buonaparté's own confession for the answer. He had been brought on his knees on the subject of the peninsula. He was ready, in his professed desire for peace, to concede and guarantee the independence of the peninsula; and why? Because we had taxed our own country, and had subsidized the peninsula, and had shed much of our brave blood, as well as expended much of our treasure, in the struggle for independence. He was for taking no basis of treaty that did not retract the principle of Buonaparté's war against us. He had a right to expect some contrition. He expected none from him, for his ambition, for his crimes, and his murders; but he could already see some contrition for his arrogant threats of subduing the peninsula at once, and driving our brave army into the sea. When he saw contrition for these things, was it not possible that he might yet see it for that most presumptuous of all his boasts, that he would conquer a maritime peace, which meant merely that he would tear from Great Britain the chartered rights of her naval dominion? He was not one who thought of interminable war with him; but he would say, that the way to treat with him was to refuse all hollow insidious overtures. He defied any body to excuse the conduct of this great pacificator as he was called, who sent to us, talking of the sincerity of his heart, and the other cant with which he was familiar. In common honour, why had he not sent over an explanation in answer to our letter. He tossed his own letter into a boat, and sent it out to sea to take its chance of finding lord Castlereagh. Lord Castlereagh sends back an answer; and, by one of those accidents not at all unlikely to happen, the messenger was fired at by the only man worthy to wear a crown! Buonaparté's proposition was in the mean time sent off to Russia without our answer. He would say to Russia, "See what a bribe I have offered to Great Britain in this time of her distress. She is ready to enter into negociation." But how would it operate in Spain? Why, by infusing suspicion and disgust into the minds of all those who adhered to Ferdinand, and who had been taught to look to us for aid in their resistance to the common enemy and oppressor. Our true road to any safe peace was not by hearkening to such shifts and tricks and cajoleries; we should cultivate the friendship of the powers of the north, and if there were a new alliance, strengthened by our assistance, we should see, that it was not founded on the old fashioned cool principles of regular resistance, but on the principle of fighting for existence itself. To talk even then of the certainty of success, would be ridiculous. The immortality of nations was not consigned to mortal custody; but to fight bravely and to perish gloriously was so. And such must be the example of Great Britain. Take the condition of this country with all its faults, and we should find it the best that ever existed in any nation. Take our constitution, wanting certainly as it did many reforms, yet, practically, it afforded the best security that human wisdom had ever given to man. Yet with all this to contend for, we might not be able ultimately to command success. Even Great Britain, for her rights, and her honours, might spend her treasures, shed more and more of her best and bravest blood, and yet, at last, might fall. Yet after the general subjugation and ruin of Europe, should there ever exist an independent historian to record the awful events that produced the universal calamity, let that historian, after describing the greatness and glory of Britain, have to say, "She fell, and with her fell all the best securities for the charities of human life, for the power, and honour, the fame, the glory, and the liberties of herself, and the whole civilized world."

The question was then put and carried.

The following is a Copy of the said Correspondence:

CORRESPONDENCE WITH THE FRENCH GOVERNMENT, RELATIVE TO PEACE.

No. I.—Copy of a LETTER from the Minister of Foreign Relations at Paris, to his Majesty's principal Secretary of State for Foreign Affairs; dated Paris, 17th April, 1812.

Monsieur;

Sa Majesté L'Empereur et Roi toujours animée des mêmes sentiments de modération et de paix, a voulu faire de nouveau une démarche authentique et solemnelle

pour mettre un terme aux malheurs de la guerre. La grandeur et la force des circonstances dans lesquelles le monde se trouve aujourd'hui placé déterminent Sa Majesté. Elle m'autorise, Monsieur, à vous entretenir de ses dispositions et de ses vues.

Beaucoup de changements ont eu lieu en Europe depuis dix ans: ils ont été la suite de la guerre qui s'était allumée entre la France et l'Angleterre: beaucoup de changements arriveront encore et ils résulteront de la même cause. Le caractére particulier que la guerre a pris peut àjouter à l'étendue et à la durée de ces résultats; des principes exclusifs et arbitraires ne peuvent se combattre que par une opposition sans mésure et sans terme, et le système de la préservation et de la résistance doit avoir le même caractère d'universalité, de persévérance, et de vigueur.

La paix d'Amiens, si elle avait été maintenue, aurait prévenu bien des bouleversements. Je renouvelle le vœu que l'expérience du passé ne soit pas perdue pour l'avenir.

Sa Majesté s'est souvent arrêtée devant la perspective des triomphes les plus certains et en a détourné ses regards pour invoquer la paix. En 1805 toute assurée qu'elle était des advantages de sa position et quelque confiance qu'elle dut à des presages que la fortune devait sitôt réaliser, elle fit au Gouvernement de Sa Majesté Britannique des propositions qui furent éludées sur le motif que la Russie devait être consultée. En 1808, de nouvelles propositions furent faites de concert avec la Russie: l'Angleterre allégua la nécessité d'une intervention que ne pouvait être que le résultat de la négociation ellemême. En 1810 Sa Majesté ne pouvant se dissimuler plus longtems que les Arrêts du Conseil Britannique de 1807, rendaient la conduite de la guerre incompatible avec l'indépendance de la Hollande, autorisa de ouvertures indirectes qui tendaient également à la paix, elles n'eurent aucun effet, et de nouvelles provinces durent être réunies à l'empire.

Le moment présent rassemble à la fois toutes les circonstances des diverses époques où Sa Majesté montra les sentiments pacifiques qu'elle a constamment éprouveés et qu'elle m'ordonne de manifester encore aujourd'hui.

Les calamités, qui désolent la Péninsule et les vastes contrées de l'Amérique Espagnole, doivent exciter l'intérêt de toutes les nations, et les animer d'une egale solicitude pour les voir cesser.

Je m'exprimerai, Monsieur, d'une manière que Votre Excellence trouvera conforme à la franchise de la démarche que je suis chargé de faire, et rien n'en montrera mieux la grandeur et la loyauté que les termes précis du langage qu'il m'est permis de tenir. Dans quelles vues et pour quels motifs m'envelopperai-je de formes qui ne conviennent qu'à la foiblesse, qui a seule intérêt de tromper?

Les affaires de la Péninsule, et des Deux Siciles, sont les différens qui paraissent les plus difficiles à concilier. Je suis autorisé à vous proposer d'en établir l'arrangement sur les bases suivantes:

L'intégrité de l'Espagne serait garantie; la France renoncerait à toute extension de ses limites du côté des Pyrénées; la Dynastie actuelle serait déclarée indépendante, et l'Espagne réglée par une constitution nationale des Cortes.

L'indépendance et l'intégrité du Portugal seraient également garanties, et la Maison de Braganse règnerait.

Le Royaume de Naples resterait au Roi de Naples.

Le Royaume de Sicile serait garanti à la Maison actuelle de Sicile.

Par suite de ces stipulations, l'Espagne, le Portugal, et la Sicile, seraient évacués par les troupes Françaises et Anglaises, de terre et de mer.

Quant aux autres objets de discussion, ils peuvent être négociés sur cette base; que chaque puissance gardera ce que l'autre ne peut pas lui ôter par la guerre.

Telles sont, Monsieur, les bases de conciliation et de rapprochement offertes à Son Altesse Royale le Prince Regent.

Sa Majesté l'Empereur et Roi ne calcule dans cette démarche ni les avantages ni les pertes que la guerre, si elle est plus longtems prolongée, peut présager à son empire, Elle se determine par la seule considération des intérêts de l'humanité et du repos des peuples. Et si cette quatrième tentative doit être sans succès, comme celles qui l'ont précédées, la France aura du moins la consolation de penser que le sang qui pourrait couler encore, retombera tout entier sur l'Angleterre.—J'ai l'honneur, &c.

(Signe) LE DUC DE BASSANO,
Ministre des Relations Extérieures.
Paris, le 17 *Avril* 1812.

Translation of a LETTER from the Minister of Foreign Relations at Paris, to

his Majesty's Principal Secretary of State for Foreign Affairs.

Sir; his Majesty, constantly actuated by the same sentiments of moderation and peace, is pleased again to make a solemn and sincere attempt to put an end to the miseries of war. The awful circumstances in which the world is at present placed have determined his Majesty. He authorizes me, Sir, to explain to you his views and intentions.

Many changes have taken place in Europe during the last ten years, which have been the necessary consequence of the war between France and England, and many more changes will result from the same cause. The peculiar character which the war has assumed, may add to the extent and duration of these results. Exclusive and arbitrary principles cannot be combated but by an opposition without measure, and without end: and the system of preservation and resistance should have the same character of universality, perseverance, and vigour.

The peace of Amiens, if it had been maintained, would have prevented much confusion. I repeat the wish, that the experience of the past may not be lost to the future.

His Majesty has often stopped when at the prospect of the most certain triumphs, and turned from them to invoke peace. In 1805, secure as he was by the advantages of his situation, and notwithstanding the confidence which he might have in anticipations which fortune was about to realize, he made proposals to his Britannic Majesty, which were eluded on the ground that Russia should be consulted. In 1808 new propositions were made in concert with Russia: England alleged the necessity of an intervention which could only be the result of the negociation itself. In 1810 his Majesty, no longer able to conceal from himself that the British Orders in Council of 1807 rendered the conduct of the war incompatible with the independence of Holland, caused indirect overtures to be made towards procuring the return of peace. They were fruitless; and the consequence was, that new provinces were united to the empire.

At the present moment are to be found united all the circumstances of the various periods at which his Majesty manifested the pacific sentiments which he has ever felt, and which he now orders me again to declare.

The calamities under which the peninsula, and the vast regions of Spanish America suffer, should naturally excite the interest of all nations, and inspire them with an equal anxiety for their termination.

I will express myself, Sir, in a manner which your excellency will find conformable to the sincerity of the step which I am authorized to take; and nothing will better evince the grandeur and sincerity of it, than the precise terms of the language which I have been ordered to use. What views and motives should induce me to envelope myself in formalities suitable only to weakness, and which alone can find its interest in deceit?

The affairs of the peninsula, and the two Sicilies, are the points of difference which appear most difficult to adjust. I am authorized to propose to you the arrangement of them on the following basis:

The integrity of Spain shall be guaranteed. France shall renounce all idea of extending her dominions on the side of the Pyrennees. The actual dynasty shall be declared independent, and Spain governed by the national constitution of the Cortes.

The independence and integrity of Portugal shall also be guaranteed, and the House of Braganza shall remain on the throne.

The kingdom of Naples shall remain in the possession of the king of Naples.

The kingdom of Sicily shall be guaranteed to the present family of Sicily.

As a consequence of these stipulations, Spain, Portugal, and Sicily, shall be evacuated by the French and English land and naval forces.

With respect to the other objects of discussion, they may be negociated upon this basis; that each power shall retain that of which the other could not deprive it by war.

Such, Sir, are the grounds of conciliation and amity offered to his royal highness the Prince Regent.

His Majesty the Emperor and King, in taking this step, does not look either to the advantages or the losses which his empire may derive from the war, if it should be prolonged; he is influenced solely by the consideration of the interests of humanity, and the repose of mankind; and if this fourth attempt should be without success, like those which have preceded it, France will at least have the consolation of thinking that whatever blood may yet flow, will fall upon England alone.

I have the honour, Sir, to offer to your excellency the assurance of my high consideration. LE DUC DE BASSANO,
Ministre des Relations Extérieures.
Paris, 17 April 1812.

No. II. Copy of a LETTER from Viscount Castlereagh, to the Minister of Foreign Relations at Paris; dated Foreign Office, 23d April, 1812.

Foreign Office, 23d April, 1812.

Sir; your excellency's letter of the 17th instant has been received, and laid before the Prince Regent.

His Royal Highness feels it due to his own honour, before he can authorise me to enter into explanations on the overture, which your excellency has transmitted, to ascertain the precise meaning attached by the government of France to the following passage in your excellency's letter: "La dynastie actuelle serait déclarée indépendante, et l'Espagne réglé "par une constitution nationale des "Cortes."

If, as his Royal Highness apprehends, the meaning of this proposition is, that the royal authority of Spain, and the government thereof, shall be recognised as residing in the brother of the ruler of France, and of a Cortez formed under his authority; and not as residing in the legitimate sovereign Ferdinand the 7th, and his heirs, and the General and Extraordinary Cortez now representing the Spanish nation; I am directed frankly and explicitly to declare to your excellency, that obligations of good faith preclude his Royal Highness from entertaining a proposition for peace founded upon such a basis.

If, however, the expressions referred to apply to the existing government of Spain, acting in the name of Ferdinand the 7th, upon an assurance from your excellency to that effect, his Royal Highness will be prepared fully to explain himself upon the basis that has been transmitted for his Royal Highness's consideration; it being his Royal Highness's earnest desire, in concert with his allies, to contribute to the repose of Europe, by bringing about a solid and permanent peace, which may be at once honourable, not only for Great Britain and France, but for those states with which they are respectively in connection.

Having, without reserve, explained the Prince Regent's sentiments upon a point, so necessary to be understood previous to further discussions, I shall best fulfil his Royal Highness's instructions, by declining any unnecessary and recriminatory observations on collateral topics: I may safely trust the justification of the conduct pursued by his Majesty's government at the several periods referred to in your excellency's letter, to the correspondence which took place at the time, and to the judgment which the world has long since passed upon it.

With respect to the particular character which the war has unhappily assumed, and the exclusive and arbitrary principles, which your excellency describes as having marked its progress; whilst I disclaim, on the part of the British government, that those evils are attributable to its conduct, I am authorised to assure your excellency, that it sincerely deplores their existence, as unnecessarily aggravating the miseries of war; and that it is the anxious desire of Great Britain, whether in war or in peace with France, to see the intercourse between nations restored to the liberal and accustomed principles of former times. I have the honour to be, &c. CASTLEREAGH.
To the Minister of Foreign
Relations at Paris.

FRAME-WORK KNITTERS BILL.] The order of the day being read for the third reading of the Bill "For preventing Frauds and Abuses in the Frame-Work-Knitting Manufacture, and in the payment of persons employed therein,"

Mr. *Hume* rose and said:

Mr. Speaker; I rise to oppose the further progress of this Bill, because it appears to me that it is objectionable or useless in all its clauses, and that the principle upon which it is founded is altogether erroneous, and contrary to those axioms of sound policy which have been approved of by the ablest political economists, and which have, by experience, been found most conducive to the increase and prosperity of trade.

It would be presumptuous in me to detain the House at present with a detailed statement of these principles; but I may be allowed to assume as correct, that opinion which is entertained by all merchants and men who have taken an enlarged and comprehensive view of commerce; that the more free from the regulations and restrictions of government trade is, it will flourish the better, and all

Every one acts and trades for his own immediate profit and advantage; and, the property of all ought to be equally protected by the laws, whether it consists in skill or in cash.

The master is anxious to engross as much business as his capital will admit of; and, his own interest will urge him to employ, at the same time, the best workmen, at the lowest rate of wages for which he can get the work finished; whilst the artizan, aware of his own skill and of the demand for his labour, will require as much for it as he can get; thus, a fair equality of price and demand will soon take place, as it ought to do; and nothing, that any one can suggest, will conduce so effectually to that end as the repeal of all the coercive laws respecting wages, and freedom to both parties to make what bargain they may think proper without disturbing the quiet of the country.

By the schedule in the Bill, the rate of wages is to be fixed from time to time by the masters, under penalties, if they shall give more or less than the prices that have been affixed in the schedule for each particular article; and, if it was for a quantity of brutal exertion, as the transportation of a cwt. of goods from one place to another, such a schedule might be proper; but, in all arts or trades, where skill and ingenuity are requisite to perform the task, it is extremely difficult to get two workmen to finish their work equally well, and it would consequently be unfair to pay them alike, as the schedule proposes to do. Every rule, which would prevent the master from paying more wages for the best, than for an indifferent article, must prove a direct and serious check to the exertions of the industrious, and to the improvements of the ingenious; and I know no means that could be devised likely to be more effectual to prevent that gradual progress towards perfection in every art which emulation and reward encourage.

The House ought not to enact as a law or rule for trade any schedule which it does not understand; I therefore object to the schedules annexed to the present Bill, because no member of this House, and I speak without the fear of contradiction, understands the nature or tendency of these schedules, which have been prepared by the workmen, the promoters of the Bill; and, for want of the evidence from master manufacturers, we are unable to form an opinion whether they are proper or not.

Admitting, as some do, that forms of schedules might be used with advantage to all parties in trade, (which, however, I deny,) it is but reasonable that they should be such as the masters could accommodate themselves to; and, being unable to decide, whether they are so or not, I must object to them altogether.

Every manufacturer should, in my humble opinion, be permitted to make such kind of wares as he may think proper, as the object in view by preparing them is evidently to sell them with a profit; and, if there is not a demand for them, it will follow as a matter in course, that the manufacturer will discontinue the making of them without any legislative enactment. I cannot, therefore, see the propriety of the clause in the Bill which prohibits the manufacture of those articles which are considered as of an inferior quality; but which must be productive of a profit to all parties, in order that the manufacture should be continued: and I really am unwilling to give up a good article of trade, because it is low-priced. Many articles are purchased with the view of being but little or seldom used, and, in all such cases, it appears but fair that such individuals should be at liberty to buy these slight articles if they suit their purpose, at the cheapest rate, instead of paying a high price for a very superior article, which, though capable of affording much wear, yet, not being requisite, the whole of the difference of price is lost.

This consideration often holds in lace-work, and, therefore, the clause in the Bill would prove a positive exclusion of an extensive, though slight and low-priced article, from a market in which the strong and more valuable articles are not demanded.

It is certainly improper that an inferior article should be dressed up and prepared so as to resemble the best kind, and to be sold to the inexperienced for the highest prices. All such practices deceive the purchaser, and have a direct tendency to bring the whole manufacture into discredit; and the legislature might with great propriety interfere and compel the manufacturers to affix, if possible, proper distinguishing marks to each kind according to their texture and quality, so as to prevent the fraud.

It appears to be a general opinion with the workmen, that the want of such marks has been the cause of the disrepute into which the lace has lately fallen; and, if we might judge from the good effects produced by the Tewkesbury Act, the 6th of George 3, c. 29, on a similar occasion, where inferior English two-thread cotton yarn had been sold as India four-thread yarn, I should submit the propriety of extending the provisions of that act, if practicable, to the articles now complained of, as the best means of obviating the mischief if it really exists.

In Turkey the woollen cloth market is comparatively a monopoly in the hands of the French, notwithstanding the great difficulty and expence they have in sending it to that country, because their manufacturers prepare a very slight and flimsy, soft, showy kind of cloth, which would, on the principle required in this Bill, be prohibited from being manufactured in this country, though it can be sold there for a much higher price, (the quality and quantity of the material being compared,) than the commonly prepared English cloth. As every market has its own demand, it is proper that our manufacturers should be allowed to prepare what they find will suit these markets best, though it is possible that any attempt at imposition, by introducing an inferior article under fraudulent appearances, may injure the general trade, and therefore deserves care and consideration.

Every Turk, who can afford himself a new dress, must have one every year, whether his former dress may be worn out or not, and he will consequently purchase that kind of cloth that will wear for one year, look as good as the strongest kind would do, and be at the same time the cheapest. The French cloth is such as will answer his purpose for one year; and, being one-third cheaper than the English, will be therefore preferred, though a purchaser in England would prefer one dress of English cloth to two of French, from the greater service he would receive from it. It is, I think, from a want of attention to these and other particulars connected with that market, and in some degree to the restrictions of the Levant Company, that the English woollens are not so very generally used in Turkey, and also in other countries, as they would be, if our manufacturers would prepare the light and cheap cloths to suit the climates and customs of these countries. Some people have supposed that the French cloths were preferred on account of the superiority of their colours; but I have no reason to think so from the statements of the Turks themselves, and of merchants residing in Turkey and Egypt.

In June 1810, I saw at Cairo French cloths that had been manufactured in Languedoc, and transported by land through Italy and the territories of Austria and the Porte to Constantinople, whence they were shipped for Egypt, and sold, after paying all expences, at a profit of 30 per cent. to the merchant, though strong English cloths would not at that time bring the prime cost and expences.

I have mentioned this only as one instance, out of many which I could adduce of the necessity there is—not to prevent the manufacturer from making all such goods as he finds will suit the markets to which he sends them, and can sell them to a profit.

I cannot shew the impropriety of our entertaining the prohibition in the manufacture of cheap lace, better than by stating that if the weavers of woollen cloth were now to apply to the members for Yorkshire to get a Bill passed, to prevent any woollen cloth from being made at a lower price than 15 or 20 shillings per yard, under the idea that, if there was no coarse cloth at 5 or 10 shillings a yard, the poor people would be obliged to purchase the cloth at 20 shillings to make their coats of. The workman may perhaps get more wages for fine cloth, in proportion to the labour, than for coarse; but, I leave it to the House to determine whether so many hands would be employed, or, whether the poor would be so well clothed if such an act was to pass. In the same manner therefore with lace: many persons in foreign countries who can get the cheap single-press lace or two-course warp net to purchase, will wear it; but cannot afford to buy the dear kinds, and will therefore discontinue the use of lace altogether.

The trade will thereby be lost; and, when I inform the House, that many thousand hands (men, women, and children) are now employed in making and embroidering that lace, and that one house alone employs 400 frames in making these articles; I hope the Bill will not be allowed to pass, at the request of those who cannot be supposed to be proper judges of such a measure.

I have been informed that one house alone has sold 200,000*l.* of the two-course warp net within these two or three years.

Many acts have been passed at different times for the regulation of different trades, as those of tailors, leather-workers, silk-workers, &c. without their having in any case, I think, had the desired effect; nor, can any act of that kind be productive of any good, until the artizans are equally protected and considered in their rights as the masters. I will shortly notice the act of the 13th George 3, c. 8, for the regulation of the silk-weavers' wages, and the consequences which have already resulted to that trade from the operations of the act; and the consequences that would, I fear, follow, if the same principle were extended to other trades and modes of employing capital. In 1766 the silk trade was very dull in Spitalfields, work became scarce, and some workmen, rather than be idle, were induced to work for wages lower than they had received when trade was brisk; an outcry was raised by the body of the workmen against the reduction of their wages, and the riots which took place terrified the government, and induced them to pass that act, the 13th of George 3, c. 8, empowering the magistrates to fix and regulate the wages, from time to time, agreeably to the demands of the workmen or masters; on the erroneous opinion that any law could oblige a manufacturer to pay, for any considerable time, a higher rate of wages than the trade could afford.

When trade was brisk, it was very easy for the men to get their wages raised by the magistrates; but, when any stagnation, or want of demand ensued, the masters always found it a very difficult matter to get any reduction made. The natural consequence followed, that the masters, rather than manufacture to a loss, left off by degrees particular branches of their trade, and the workmen themselves experienced eventually the greatest loss; for the trade of ribbons was removed to Coventry, Leek, &c.; gauze to Paisley, Reading, &c.; where the rate of wages was such as would enable the merchant to manufacture to a profit; and the number of weavers in Spital-fields have gradually decreased from 50 to 22,000 hands, chiefly from that cause.

Every individual has certainly the right of employing his capital, either in land, commerce, or manufactures, in such manner as his own inclination may lead him, or his abilities be most competent to conduct. It would be considered a monstrous proposition, if I, extending the principle of the 13th of George 3, were to propose to introduce a Bill into this House to compel landlords to let their land to farm at such a rate per acre as two or more justices, on the requisition of the tenants, should think proper to fix, without any provision being made for the different rates which different kinds of land ought to afford; and, without leaving any kind of discretion with the landlords how to act, otherwise than, either to agree to let their land for the rates fixed by the magistrates, or to allow the land to lie uncultivated; and, I believe, that it would be considered equally objectionable if the Bill should compel all farmers to take the land for cultivation, and pay such a rate of rent for it as the justices might, upon the requisition of the landlords, fix and determine, without leaving any discretionary power with the farmers, whether such rate of rent was more than they thought they ought to pay, or such as would permit the land to repay them for their industry and skill.

However objectionable these principles may appear to be when applied to land, they are equally so when applied to masters and workmen, (as by the 13th of George 3, c. 8, and many other acts,) and should all, I think, be removed from among the statutes.

Every landlord lets his land in such manner, and at such rates, as he thinks proper; every farmer rents land at such rates as he thinks will repay his skill and labour; and, by open competition, both acquire a fair and just value in the market.

Every master or capitalist in trade, and every artizan or workman, ought in justice to be allowed the same discretion and freedom in the employment of their capital and labour, as the landlord and the tenant enjoy; but which the present Bill would prevent.

By such freedom to the landlords and tenants to act as they should think best, the rents have been much increased, and agriculture greatly improved; by extension of that freedom and competition in trade and manufactures, the profits will be much augmented, and the different branches of manufacture advanced towards perfection; but, all restrictions, under the title of regulations for trade, are detrimental to its progress, and should be avoided as much as possible.

It is very satisfactory to learn, that those who have had the best opportunity of observing the practical effects of the different laws enacted for the regulation of trades in and about London, do agree with me in the opinions which I have stated, as to the propriety of leaving every kind of trade to find its own level. Mr. Colquhoun, a most intelligent and able magistrate, to whom the country is much indebted, after an experience of 20 years, declares the act of the 13th of George 3, respecting the silk-trade, prejudicial to the country, and to all classes engaged in that trade, and deprecates the idea of such a principle being extended to any other manufacture; and I hold in my hand a letter from him to that effect.

The different committees of this House which have had before them the petitions of masters and workmen engaged in several manufactures at various times, have agreed in that principle; and I will, with permission, read an extract of the opinion expressed in the Report of a committee to the House on the 13th of June, 1811, as an example of the tendency of others.

The Committee are of opinion "that no interference of the legislature with the freedom of trade, or with the perfect liberty of every individual to dispose of his time and of his labour in the way and on the terms which he may judge most conducive to his own interest, can take place, without violating general principles of the first importance to the prosperity and happiness of the community; without establishing the most pernicious precedent, or even without aggravating, after a very short time, the pressure of the general distress, and imposing obstacles against that distress being ever removed; or, if the interference were extended to all trades and occupations, as it manifestly must be when the system has been acted on in any, without producing great public mischief, and being destructive of the happiness and comfort of individuals."

To come, however, more immediately to the particular manufacture which the present Bill purports to regulate, I think it is of considerable importance to observe, that provisions, similar to those of this Bill, were formerly enacted for the regulation of the hosiery trade, by 15th of Charles 2; but, having been found, in their operation on that trade, either prejudicial or useless, they have been allowed to remain a dead letter in the statute-book; and, we should be cautious how we now enact for the lace, what did formerly fail to have the desired effect in the hosiery trade.

It appears from various records, that, about 1664, considerable distress prevailed in the stocking trade; and the workmen then thought that the want of demand for their goods, was owing to some articles in the trade having been made of an inferior quality, and having thereby brought their goods into disrepute; and, it is curious that the very same opinion is entertained by the workmen at the present moment as to the cause of the present stagnation of trade, without making any allowance for the failure of our foreign markets. In 1664, the government acceded to the demands of the men, and granted them a charter to form a company of frame-work knitters, with exclusive privileges, and the power of enacting bye-laws for the good of the whole; they had the power of prohibiting every unworkmanlike article from being made, and of searching the houses and shops of manufacturers for such kind of articles, to destroy them.

No charter was ever more particular in its enactments to make strong and good wares only; and, if any such results as were then wished for, and are now wished for, could have been effected by regulations for that trade, that charter would certainly have answered the purpose. Charters were at that time considered as the only way of encouraging trade, and were consequently granted to many sets of men; but all of them, by their results, prove how different their effects have been from what were expected from them. The futility, or mischief of these regulations was soon experienced, and they gradually fell into disuse until 1753, when, from the activity of some individuals in exercising the powers vested in the Frame-work-knitters company, the whole of the trade were roused to petition the House of Commons against the provisions of that charter, and the House, on the 19th of April, declared the whole of the provisions of the charter injurious to the trade and the interests of the country, and they have never been acted upon from that period to this. Is it therefore proper for us now to enact such regulations, for the lace trade, as did formerly produce so much mischief to the hosiery trade?

The masters appear, by the Resolutions they entered into in 1808-9, whether seriously or not I cannot say, to have acceded to the opinion of the workmen, that injury accrues to the trade by the manufacture of inferior and fraudulent wares, by the agreement not to manufacture any more of them; but they have been unable to keep their engagements, by the profits arising from the manufacture and sale of these articles having been great; and, can it be expected that an act of parliament will effect that which the trade itself could not perform? The only measure which can be adopted to check fraud, would be, as I have before pointed out, to amend the 6th of George 3, (commonly called the Tewkesbury Act) and compel manufacturers to mark every kind of goods with a particular distinguishing mark.

The other clauses in the Bill, to prevent the payment of the wages to frame-work-knitters in any thing but money, appear to me unnecessary, and directly contrary to the natural order of things.—In earlier times, every purchase of goods was effected by an exchange of one article for another, whether such were food or goods; and the subsequent introduction of cash was only, as a convenient medium of exchange, between the parties having superfluities to part with and wants to supply; I cannot, therefore, discover the wisdom of these statutes, which have prohibited the payment of wages in any thing but cash.—From an early period of our history, the legislature have thought proper to interfere in that way, particularly by the 5th of Elizabeth, c. 4, the 1st of James, c. 6, the 13th of Charles 2, &c. &c.; and, in almost every statute respecting trade, the same provisions have been made; and, were any such provision necessary, the act of 12 George 1, c. 34, being extended to the frame-work-knitters trade, as effectually as can be done by the clauses in the present Bill, renders any similar enactment superfluous. In many parts of Great Britain, the husbandry servants are paid for their labour, partly in food and partly in cash, and no inconvenience arises therefrom, though, by the statutes now in force, such practice is criminal in England, and could be punished.

These statutes respecting the payment of wages in cash only, appear to have been intended to destroy that feudal dependance which then existed between servant and master, and may then have been very proper, as servants were more easily paid in food than money, and it was an object with the government to reduce the influence of the barons over their followers; but, at the present time, all such interference appears to me improper and unnecessary. If it should be more convenient or profitable for a workman to receive payment for his labour partly or wholly in goods, why should he be prevented from doing so? for if such a practice is inconvenient or injurious to any man, he will not work a second time for the master who pays him in that manner. If, however, it happens, that on calculating the value of the goods and cash, they are more advantageous to a workman, than what he can receive for his labour in cash alone from any other person, it would certainly be an injustice to him, to prevent his using his own discretion, in choosing in what manner he should think proper to be paid.

From the evidence taken before the committee of the House of Commons it appears, that only the lowest class of manufacturers, called Bag Hosiers, have been in the practice, in times of distress, of paying for their work, partly in goods and partly in money; and it is a doubt with me, whether, in that way, they did not employ many workmen who would otherwise have remained idle. Was there any harm in having done so?

As to the measurement of lace by the instrument called the rack, there can be no objection to it, unless that it is more a regulation between the masters and workmen, than one which the legislature ought to interfere with.

Whether the lace known by the name of "single-press cotton lace, and two-course hole warp," should be permitted to be made or not, I have no hesitation in answering, that they should all be manufactured and sold, as no manufacturer will make them unless he can sell them with a profit. If inferior articles are sometimes fraudulently sold for better ones,—this happens in all trades; and if it be worth while to interfere,—the proper remedy is a distinguishing mark.

In the event of the laws, as far as capitalists and artizans are concerned, being taken into consideration with the view of revising them, and enacting such as should place both sets of persons on the same footing in respect to their engagements about wages, I should wish to call your attention to the benefit societies which have been formed by the members of different trades.

The intention of these societies in forming a fund, was to provide for such of their members as should, by disease or want of work, be without the means of support; and more useful and praiseworthy establishments could not be formed: but, from various statements that I have heard, there is reason to fear that the funds of some of these societies have been appropriated to support the most needy of the society during periods when the whole trade have struck for wages; and, by means of such funds, the men have been able to support themselves for a longer time than the community could dispense with their labour, and, by that means effected an undue increase in their wages. It is highly necessary, and would be easy to prevent any such occurrences on the part of the workmen, so as to allow the labour of every class to come to market with free and open competition, by which labour in every instance would find its proper and fair level.

It certainly is worthy the attention of the legislature to consider what mischief has arisen, and may hereafter spring from the extent and organization of these societies in different parts of the country, and to take measures to prevent any serious evil from taking place.

It was my intention to have observed more fully upon every clause of the Bill in succession, and to have pointed out those provisions most obnoxious and most objectionable; but, for the present, I must not any longer, at this hour of the night, intrude upon your time, except to observe, that the clause authorizing search-warrants on suspicion of prohibited goods, opens the door to too much trouble, and to an infraction of that privacy and security in his own house, which every Englishman considers his birth-right, and which, as, being one of the blessings of a free state, ought not to be interfered with except in cases of the greatest emergency.—I object therefore to that clause, as being quite unnecessary, because the goods when offered for sale will be liable to seizure; and it does not appear to me that the peace of families should be open to disturbance, on the whim or spite of every angry workman against his master, for the sake of detecting perhaps a yard of fourpenny lace.—It is legislating for trifles, in a way which ought not to be adopted; and, for that, and all the other reasons which I have offered to your notice, I protest against the Bill passing into a law, and would take the sense of the House upon it, but that it might be thought that I took the advantage of there being so few members present.

The Bill was then read a third time and passed.

HOUSE OF COMMONS.

Wednesday, July 22.

INSOLVENT DEBTORS BILL.] Mr. Lushington having brought up the Report of this Bill,

Sir *T. Turton* said, if there was any thing in his short political life, for which he might be entitled to take credit, he presumed to think it was for the attempts he had made to break the bonds of perpetual imprisonment. He hoped if, in the next session, the permanent Insolvent Bill could not be matured and carried through, at least some more effectual regulations than those contained in the present Bill might have been adopted.

Mr. *Abercromby* expressed his regret, that from the late period at which the Bill was brought into the House, it would be impossible, with any prospect of advantage, to introduce a clause extending the provisions of it to the islands of Jersey and Guernsey, which it had been his object to do.

Mr. *Rose* contended, that there was no instance of parliament having exercised the right of legislating for Jersey and Guernsey, except in cases of trade.

Mr. *Whitbread* agreed with his hon. and learned friend, that it would be imprudent at this period of the session to interfere with the Bill now before the House. He was satisfied, however, that it was indispensably necessary, that some alteration should be made in the mode of confinement for debt in the islands alluded to. If it was fairly represented to him, the effect of confinement there must be the termination of the existence of the person confined. Such a matter was peculiarly necessary to be enquired into now, when there was a measure in dependence for revising the laws of the island of Jersey.

The Bill was then read a third time and passed.

PETITION OF THOMAS BALL.] Sir *F. Burdett* brought forward his promised motion on the Petition of Thomas Ball, who had been seized, imprisoned, and convicted in a penalty, for having smuggled goods in a chaise in which he was found. He moved that the Petition be referred to a Committee, to enquire into the allegations therein contained.—No person seconding the motion, it of course fell to the ground.

PETITION OF THE LATE FACTORY AT OPORTO.] Mr. *Canning* said, he held in his hand a Petition from certain merchants of this country concerned in the trade to Portugal, particularly in the wine trade with Oporto, complaining that two several clauses in a Treaty of Amity, Commerce and Navigation, concluded between his Majesty and the Prince Regent of Portugal, professing to be founded on a basis of reciprocity and mutual convenience, had not been carried into effect. He should have felt it to be his duty to present this Petition to the House in his capacity of an individual member of parliament; but he felt himself more peculiarly called on to introduce the subject to the consideration of parliament, the Memorial referred to in the Petition having been left at his office while he was Secretary of State for Foreign Affairs. The first clause in the Treaty which the petitioners complained had not been carried into effect, was the 8th clause, by which it was provided that British subjects should not be restrained, interrupted, or otherwise affected by the operation of any monopoly, contract, or exclusive privileges of sale or purchase whatsoever; but that the subjects of Great Britain should have free and unrestricted permission to buy and sell, from and to whomsoever, and in whatever form or manner they might please, whether by wholesale or retail, without being obliged to give any preference or favour in consequence of the said monopolies, contracts, or exclusive privileges of sale or purchase. The 25th Article of the same Treaty stipulated for the putting an end to the British factories in Portugal in time coming; but at the same time declared, that the British subjects in general shall have a right to the buildings, &c. where those factories were formerly established, as individuals engaged in commerce. Now, in consequence of this 25th Article of the Treaty, the British factories at Lisbon and Oporto were abandoned; but there still existed at Oporto a Company having an exclusive privilege, or monopoly, called the Royal Oporto Wine Company, which had even the right of pre-emption of all wines. It was obvious that what the Treaty in question had in view were reciprocal stipulations. In the 8th Clause, the companies to be exempted are expressed by name, and if this was one of them it would have been enumerated. Not only had the treaty, however, been strictly executed on the part of the British merchant; but an act had been passed, giving to the Treaty the sanction of parliament. Out of this circumstance arose the peculiar propriety of applying to the House on this subject, and the House, it was to be hoped, would give the petitioners that redress which was in their power, by repealing the articles favourable to the Portuguese, if the Treaty was not fairly executed on their part. The extent of the evil of which the petitioners had to complain might be judged of from this, that the average importation into the united empire, for a series of former years, exceeded annually 50,000 pipes, producing a revenue of upwards of 2,500,000*l.* The export from Oporto, last year, was only 18,536 pipes, which would produce only about 900,000*l.* and the import of this year was expected not to exceed that of last year. The petitioners were therefore anxious to receive some redress before the approaching vintage. At an earlier period of the session, he might have moved for a committee, and also for leave to bring in a Bill on the subject. At such an advanced period of the session, however, he could expect little benefit from any such measure, and the best mode of proceeding, probably, would be, to move an Address to the Prince Regent. Even this, however, he should not press, if it was understood that the matter would be taken up strongly by government, and was to be made the matter of discussion between the two countries. It might also be of service that it should be understood, if the Portuguese government was not disposed to do justice to our subjects, that there was an inclination on the part of our parliament to compel them. He recollected an instance in the Irish parliament, where, on a denial of justice, the duties on port wine were doubled, till the Portuguese agreed to fulfil their treaty, which they accordingly did in the course of that same session. He hoped government would now evince such a disposition, so that what he had now said might stand as a notice for next session, if the evil should not in the mean time have been remedied.

Lord *Castlereagh* said, that the case was of sufficient national importance to induce enquiry. Some correspondence was at present on foot between our government and the Portuguese court at the Brazils; but owing to the great distance of the present seat of that court, some time must elapse before an arrangement could take place. He thought it proper to observe, that some advantage was enjoyed by the British merchant, in having his goods imported at a lower tariff than the Portuguese have for the goods they send to this country; his Majesty's ministers, however, did not think that this was to be considered in any degree a compensation for the evil complained of by our merchants. From what he had stated, he thought the right hon. gentleman would see that it was not necessary to press the matter further during the present session.

Mr. *Canning* professed himself satisfied with the noble lord's explanation, and merely wished that the Petition should be brought up.

Mr. *Baring* thought that it was a case attended with considerable difficulty. He was of opinion, that the interests of the merchants of both countries should be attended to.

Mr. *Rose* observed, that by the treaty, Portuguese subjects were placed on the same footing with British.

Mr. *Whitbread* understood, that the stipulations of the treaty had not been very honourably fulfilled on the part of the Portuguese. Considering the relations of the two countries, he was surprised that any cause of complaint should exist against Portugal. He took that opportunity of enquiring whether it was true, that the slave trade of Portugal had increased? And if the case was so, why the stipulations regarding this trade were not fulfilled?

Lord *Castlereagh* declared, that no exertion on his part should be wanting to carry into effect what the cause of humanity so loudly called upon him to support; but that in the present state of things, he did not think himself able to give so explicit an answer to the hon. gentleman's question as he could wish. He only knew that the Prince Regent of Portugal had professed himself anxious to support this part of the treaty, and that nothing should be wanting on the part of his Majesty's government to ensure the fulfilment of this particular article of it.

Mr. *Browne* thought it proper to mention that it was reported, and very generally believed, that certain persons were employed by our government on the coast of Africa to pick up slaves for the purpose of recruiting the black regiments in the West Indies.

The *Chancellor of the Exchequer* admitted that persons were employed on the coast to enlist free men who were willing to enter into the service; but that this enlistment was so free in its nature, that the persons so enlisted were allowed to remain for some time, that they might consider the nature of their engagements.

Mr. *Whitbread* thought it was very injudicious on the part of government to employ persons on a service of a nature so likely to be abused. He therefore thought that a copy of the commission, authorising the enlistment, should be laid before the House, in order that the transaction might be examined in all its features, and that the House might correct any thing that was wrong.

The *Chancellor of the Exchequer* had no objection to lay before the House copies of all the papers and correspondence on the subject.

The Petition was then brought up and read; setting forth,

"That the petitioners regret the indispensable necessity which they are under of submitting to the House this their humble Petition at such an advanced period of the session; but nothing short of their receiving the most immediate assistance from the House, can afford them the relief which they so much stand in need of, and which they have no doubt of obtaining when their Petition shall be considered; and that the petitioners were, for many years, concerned in the commerce of Portugal, particularly in the wine trade at Oporto; and that, in consequence of the invasion of that kingdom, they were driven from that country, and sustained great and heavy losses, but which, being caused by the aggression of the enemy, they bore with resignation, trusting that in the liberation of that country, by the glorious success of his Majesty's arms, and the defeat and entire expulsion of the enemy by the combined efforts of the allied army, they might look forward with confident hope of resuming their trade, freed from the numerous vexations and annoyances under which they had for many years laboured, and of which grievances his Majesty's ministers were highly sensible; and that it was with great satisfaction, the petitioners observed their hopes realized, as they imagined, by a Treaty of Amity, Commerce, and Navigation, concluded between his Majesty and his royal highness the Prince Regent of Portugal, professing to be founded upon a basis of reciprocity and mutual convevience, and adopting a liberal system of commerce, which, by discontinuing certain prohibitions and prohibitory duties, would procure the most solid advantages on both sides to the national productions and industry (to use the words of the 8th and 25th Articles of the Treaty), by declaring "That British subjects should not be restrained, interrupted, or otherwise affected by the operation of any monopoly, contract, or exclusive privileges of sale or purchase whatsoever; but that the subjects of Great Britain should have free and unrestricted permission to buy and sell from and to whomsoever and in whatever form or manner they might please, whether by wholesale or retail, without being obliged to give any preference or favour in consequence of the said monopolies, contracts, or exclusive privileges of sale or purchase;" and that, notwithstanding such treaty, the petitioners continue labouring under the same numerous oppressions which they for so many years suffered, by the continuance of the uncontrouled, arbitrary, and excessive power of the monopoly wine company, as has been long since repeatedly proved and acknowledged by the Lords of Trade, particularly in their lordships' Report to his Majesty in Council; and the petitioners, therefore, deem it unbecoming to trespass on the time of the House, by any detail beyond a reference to the said Report, wherein their lordships emphatically declare, "That the tendency and intention of that establishment was the exclusion of his Majesty's subjects from the traffic in the wines of Portugal;" and their lordships further observed, "It was not necessary to enter into a minute discussion with respect to many particular regulations of this Company, which they think justly objected to by the merchants, as highly grievous and oppressive;" for their lordships are of opinion, "that a fatal objection lies against them all, namely, that they all contribute to establish in the Company a monopoly against British subjects, from which, by treaty, they have a right to be exempted;" and that, since the ratification of the treaty, now two years ago, the petitioners collectively, and many of them individually, have at various times, most humbly represented to his Majesty's ministers, by petitions and memorials, that all the grievances, oppressions, and annoyances under which the British trade laboured, were continued with encreased effect, to the total exclusion of the petitioners from free trade at Oporto, which, by the stipulations of the late treaty, they were expressly allowed; and that the petitioners, as long ago as the 8th of April, 1811, in their Memorial to the Lords of Trade, prayed their lordships that, previously to the passing any acts of parliament for carrying into effect the provisions of the said Treaty of Commerce with his royal highness the Prince Regent of Portugal, an explicit declaration should be obtained on the part of the Portuguese government, expressly announcing and declaring, beyond all doubt, that, by the 8th and 25th Articles of the said Treaty, British subjects were absolutely exempted from the power and controul of the wine company at Oporto; and that, on that occasion, the petitioners were assured, that the said articles should be observed by the government of Portugal; and accordingly an act of parliament for carrying the provisions of the treaty into effect was passed on the 31st of May, 1811, 51 Geo. 3, c. 47; and by such act his Majesty's navigation laws were repealed in favour of the Portuguese, in compliance with the said treaty on the part of his Majesty; and that, from the important concessions granted by that act to the Portuguese, on the firm reliance, that the government of Portugal would perform the said treaty on their part, and, from the constant assurances the petitioners received, they waited with great anxiety, though with confident hope, that they might resume their accustomed trade, with all the advantages which the said treaty held out; but the petitioners finding no relief, and the purchases of the wines of the last vintage approaching very near, a general meeting of the merchants was convened, who came to a resolution to apply to his Majesty's privy council on the subject; and on the 3d of November, 1811, a Petition was presented accordingly, in the words or to the effect following:—"We the undersigned, members of the late factory at Oporto, and merchants trading with Portugal, most humbly beg leave to represent to your lordships, the grievous disappointment and severe loss we suffer from the continual non-compliance with the stipulations of the late treaty of commerce ratified by his Majesty and his royal highness the Prince Regent of Portugal, particularly the 8th and 25th articles, on the due and *bonâ fide* performance of which (with respect to the monopoly of the Royal Wine Company at Oporto) rests the practicability of our being enabled to resume or continue our trade in that part of the kingdom: the numerous oppressions the British traders in Portugal have for many years experienced, and yet do experience, by the arbitrary and excessive power of that monopoly, have been so repeatedly represented and proved by the trade, and acknowledged by your lordships to be founded in fact, that we had firm reliance his Majesty's government would have obtained redress; it is, therefore, with great reluctance that we again feel ourselves compelled to address your lordships on the subject; we have waited with great anxiety until now for relief; but as the time of purchasing the wines of the vintage of this year is very near, we cannot longer delay most earnestly to solicit, through your lordships, his Majesty's government, that immediate measures be taken for the due performance of the 8th and 25th Articles of the Treaty, in order that British subjects may have free and unrestrained permission to buy and sell from and to whomsoever they may please, whether by wholesale or retail, and enjoy the same freedom of commerce in Portugal, as Portuguese subjects do here, in the purchase and sale of the produce and manufacture of this country: we beg leave to observe, from the long experience we have had of the conduct of the said Royal Wine Company, that we have just reason to apprehend no relief will be experienced by British subjects concerned in the wine trade at Oporto, unless the literal and *bonâ fide* observance of the said 8th and 25th articles is enforced by the acting government of Portugal, and the monopoly hitherto enjoyed by the said Royal Wine Company is immediately and entirely annulled before they assume their power over the last vintage, which otherwise will be the case during the next month, which we solicit with confidence, as it has been repeatedly represented by the trade, and acknowledged by your lordships, that nothing short of a declared complete exemption of British subjects from their power and controul will suffice: we further most humbly pray your lordships will please to give us the earliest information of the determination of the Portuguese government, in order that many of us who are prepared to resume or commence trade with Oporto may act accordingly; for, unless the whole of the treaty is observed, it is in vain for British subjects to attempt to carry on trade under the serious disadvantages to which they are subjected by the non-performance of several articles of the treaty, particularly the 8th and 25th articles;"--and that the petitioners find, with great concern and disappointment, that the government of Lisbon, so far from carrying into effect the provisions of the treaty, did, by the secretary of state of Portugal, as long since as January last, notify to his Majesty's envoy at Lisbon a refusal to carry into effect the said 8th and 25th articles of the treaty, without further instructions from the government of Brazil; and that the petitioners most humbly represent to the House, that, by the refusal and delay in carrying into effect the several provisions of the treaty, not only the petitioners, but British subjects in general, are precluded from the free trade and commerce to which, by the said treaty, they are entitled, to the manifest loss and injury of his Majesty's government and revenue, as well as all persons concerned in the said trade, and also the shipping interest of his Majesty's realm, as the petitioners will proceed to show; and that it is an undoubted fact, that since the principal English merchants were driven from Oporto by the enemy, and prevented engaging in a free trade there, by the monopoly, the price of wine in Portugal is verty grealy increased, and is more than treble what the petitioners remember, and the importation is greatly decreased in consequence; and that the average importation into the united empire for a series of former years exceeded annually 50,000 pipes, producing a revenue of upwards of 2,500,000*l.* sterling; the export from Oporto last year was only 18,536 pipes, which will produce only abou 900,000*l.* sterling, and the import of this year is not expected to exceed that of last, whereby other losses are also sustained by the consequent diminution of freightage and other mercantile advantages; and that the petitioners beg leave to represent to the House, that as the refusal of the court of Lisbon to carry the provision of the treaty into effect without further instructions from the court of Brazil, was in January last, ample time has elapsed for such instructions to arrive, and it is very essential to the interests of all concerned in the commerce, particularly British subjects, that measures be speedily taken for carrying into effect all the provisions of the treaty, particularly the 8th and 25th articles, previous to the approaching vintage in September next, and that the government of Portugal should issue timely proclamation thereof, to the intent that the monopoly company and the farmers, within and without the district which the British are at present restricted to purchase in, may have due notice thereof; and that the petitioners further beg to represent to the House, that some difficulties have arisen respecting the 7th and 16th articles of the said treaty, which it is very desirable should be set at rest; and the petitioners, under these circumstances, humbly pray the House will be pleased to take such measures for their relief as they shall deem expedient, and that the most immediate measures be adopted for carrying into effect all the said provisions of the said treaty, and particularly that the petitioners may have the advantages of the 8th and 25th articles at the approaching wine season, and be thereby enabled to trade at Oporto, and throughout Portugal, with the same free purchase, sale and exportation of all wines, brandies, vinegars, and all other produce of Portugal, and to make brandies, wines and vinegars for their own use, sale or exportation, in conformity with the said treaty, and that the provisions of the 7th and 16th articles may be also observed with all due dispatch, or that the House will take such measures on the occasion as the urgency of the case shall seem to require."

Ordered to lie upon the table.

HOUSE OF LORDS.

Thursday, July 23.

Exchange of Prisoners—Slave Trade—West Indies.] Lord *Holland* rose to ask the noble earl at the head of his Majesty's treasury, certain questions, which, though he did not mean to make them the ground of any motion, he trusted the noble earl would answer, on account of their importance. It would be improper to permit the session to pass without having some explanation from government on the subjects to which he alluded. The first question which he was anxious to put to the noble earl, related to an exchange of Prisoners of War between France and this country. He wished to know, whether any proposition had been lately made by France, or by this country, in regard to such an exchange of prisoners; or if none had been lately made from either country to the other, he was desirous to know, whether it was likely that any attempt would soon be made for the accomplishment of a purpose so important? This was a subject in which humanity was deeply concerned. It was highly desirable even on the score of humanity alone, though other considerations were out of the question, to bring about such an exchange, if possible, in order to diminish the calamities of war, which must be severely felt by the subjects of both countries. He did not mean by what he said, that he at all approved, or wished to sanction, the most unjustifiable pretensions which had been advanced by France; but he trusted, on a subject of this nature, that our government would not be too scrupulous, but would seize with eagerness any opportunity of effectuating this most desirable object, on any thing like fair and reasonable principles.—The next question with which he had to trouble the noble earl, related to the Slave Trade. Though this infamous traffic had been abolished by the parliament of this country, he was informed, that it was carried on to a considerable extent under other flags, particularly those of Spain and Portugal. Though some of the present ministers had originally opposed the abolition, yet he was persuaded, that since the traffic had been condemned by the law of the land, they had used, and would use, their utmost exertions to carry it into effect. It was now six years since a resolution had been passed, recommending to government to use its influence with foreign powers, to procure their concurrence with this country in taking measures for checking or abolishing the Slave Trade. The influence—the honourable influence,—which we might be supposed to have in the councils of Spain and Portugal, afforded an opportunity at present of acting with peculiar effect upon the recommendation to which he had adverted. He wished, therefore, to know, whether government had paid the proper attention to this subject: and whether they had done any thing with the powers in question towards the accomplishment of this great object. The last question related to the state of our West Indian colonies. Since the abolition of the Orders in Council,—a measure in which no one concurred more heartily than he did,—the law of exclusion from intercourse, except in certain articles, with the United States, bore most heavily upon our West Indian colonies. Sugar and coffee were not included in the articles which they were permitted to exchange for the lumber which it was necessary for them to procure. Rum they were permitted to send to the United States; but it so happened that there was at present hardly any demand for that article in the United States. They were therefore obliged to pay for their lumber in a great measure in specie: which very specie was employed to purchase these very articles from other West India possessions not belonging to Great Britain. He wished to know, therefore, whether this subject had engaged the attention of his Majesty's government, and whether it was intended to afford any relief to our West Indian colonies in this respect. A more free intercourse with the United States was of the highest importance to our West Indian colonies; and, he trusted, on this account, as well as others, that the relations of amity between this country and the United States would soon be restored.

The Earl of *Liverpool* had no objection to give such answers to the several questions of the noble lord, as he could give consistently with his sense of public duty. And first, in regard to the exchange of prisoners, he observed that no one could possibly be more anxious to accomplish this object than his Majesty's government. It was a most important object, he admitted, on the ground of humanity, with a view to the diminution of the calamities of war; it was also most important and desirable in regard to our own countrymen; and it must be desirable for the government at home, for reasons which he need not state. It was an object of which his Majesty's government had never lost sight, and which they would certainly make, and had made, every exertion in their power to acomplish. They had, indeed, conceded more for that purpose than ever had been even required on former occasions. That so desirable an object, therefore, was not accomplished, was to be ascribed solely to the government of France. —In regard to the Slave Trade, the noble lord had the candour to admit, and in the admission he did his Majesty's government no more than justice, that whatever difference of opinion had existed as to the expediency of the abolition of the Slave Trade when first proposed, yet when the trade was in fact abolished by law, they had evinced a disposition to carry the law into full effect. Indeed, the very principles upon which some of them had opposed the abolition, led them, when the traffic was by law abolished, to carry the law, if possible, into complete execution. They had constantly had that object in view. In their communications with foreign powers, it had never been forgotten, when the opportunity occurred, to make the proper representations on the subject. They had to a certain extent succeeded, although certainly not to the extent they wished. He trusted, however, they would be enabled to induce the governments of Spain and Portugal, gradually, if not at once, to concur with the government of this country in the abolition of this traffic. The efforts that had been made for this purpose, by his Majesty's government, had in some instances led to inconveniencies which, if all the circumstances were before the noble lord, would sufficiently convince him of their sincerity in the endeavours which they had made to accomplish the object in question.—With respect to the West India islands, the subject was one which required a great deal of consideration. It was a question which involved the consideration, not merely of the interests of the colonists, but those of the public in general, and was not to be decided upon without the most anxious and cautious deliberation. The changes in the state of the world might possibly make a difference as to the proper mode of administering the colonies; but the noble lord would recollect, that the articles of sugar and coffee were left out of the Bill which passed on this subject while he was in office. The subject, however, did engage the most anxious attention of government; but he begged not to be considered as at present giving any opinion on the question, either one way or another. He hoped he had now explained himself to the noble lord's satisfaction.

Lord *Holland* did not mean to enter into any farther statement on these subjects, especially after the noble earl had answered his questions in a manner so very satisfactory. He only wished to observe, that he had been informed, by a person who had been an eye-witness of the fact, that while that person resided in Cuba, the number of slaves brought in amounted to about 4,000 a week. As to the Bill brought in, in regard to the West Indies, while he was in office, he had only to say, that he had been very sorry that sugar and coffee had not been included: but the circumstances were now different; and though parliament was unfavourable to such an extension then, it might deem it expedient now.

Frame-Work Knitters' Bill.] The Earl of *Lauderdale* called the attention of the House to this Bill, which he thought a most obnoxious measure; the object of it being to prohibit certain articles of manufacture, because they were not so well made as other articles of higher price. If once they were to legislate in this manner, instead of leaving to the consumer to find out what were good articles and what were bad, he knew not where they were to stop, and they would introduce a principle of the most dangerous consequence. To pass this Bill would be immediately to destroy a valuable branch of export trade, to throw a great number of persons out of employment, and to produce considerable distress in the manufacture to which it applied.

Viscount *Sidmouth* said he had not read the Bill, but would read it before the meeting of the House to-morrow, and form his opinion from the contents of it.

TOLERATION BILL.] The Earl of *Liverpool* moved the second reading of the Toleration Bill. His lordship observed, that in looking into this subject, it was found that it could not be properly entered into without repealing certain acts which certainly ought not to be suffered to remain on the statute book, and which no one would now think ought to be put in force, but which might be made the means of vexations to individuals. Amongst the acts repealed were the Conventicle Act, and the Five Mile Act; some parts of the former were retained in another shape, but the latter no one would now think of carrying into execution. It was well known, that lately, a construction had been put upon the Toleration Act, different from that which it had practically received for upwards of a century, and to remedy the inconveniencies thus occasioned to individuals, was one also of the objects of the present Bill. In order to combine the toleration which it was proposed to give in the most ample form with the requisite securities, it was proposed in the first place, that to assemblies for the purposes of religious worship there should be given notoriety, in the second place publicity, and in the third place, that from the preachers and teachers in those assemblies there should be required some test or security in the oaths to be taken by them. Meetings for religious worship, where the number of persons assembled, exclusive of the family of the occupier of the house or premises where such meeting took place, did not amount to more than twenty, were exempt from any restriction, but where the number amounted to more than twenty, then the place of meeting was required to be registered, in order that upon searching the registers all such places of meeting might be known. In order to secure notoriety it was enacted that all such meetings for the purposes of religious worship should take place with doors unbolted and unbarred, and not fastened, so that any one might go in; and for the purpose of a sufficient test or security, it was enacted that teachers and preachers of congregations should take the required oaths at the sessions, but it was not required that they should take the oaths antecedently to their exercising the duties of teaching and preaching. The noble earl, after adverting to the other provisions of the Bill, observed, that an enlarged and liberal toleration was the best security to the established Church—a Church not founded to the exclusion of religious discussion, but in its homilies, its canons, and all the principles upon which it rested, courting the investigation of the Scriptures upon which it founded its doctrines.

Earl *Stanhope* objected to the Bill, that it was founded in its preamble and its clauses upon expediency and expediency alone, and did not recognize the right of religious worship, which he contended to be the unalienable right of man. His lordship went through most of the clauses, making several objections to particular parts of them, respecting which it was his intention to move in the committee.

Lord *Holland* agreed with his noble friend as to the right of religious worship, but, nevertheless, was a warm friend to the present Bill. He remembered being told some years ago, by the late Mr. Selwyn, that a good law required a great deal of soaking in the House of Commons; so it appeared that a great principle required a great deal of soaking; but the noble lord who moved the present Bill seemed to have become a wet intolerant, and viewing this Bill as so much gained to the cause of toleration, he did not despair of seeing at length acknowledged the great principle for which he contended.

Viscount *Sidmouth* could not give an unqualified approbation of this Bill. He approved entirely of the repeal of the Five Mile Act, but he regretted the extension of the number allowed at meetings not registered, from five, the number in the Conventicle Act, to twenty. He thought that giving an exemption from civil duties and militia to preachers and teachers of meetings, who carried on any other business, would lead to abuses, as persons might register small meetings, officiating only once or twice a year at them, for the purpose of obtaining the exemptions. He lamented particularly, that by this Bill no qualification was required from preachers or teachers, but that all persons, whatever might be their ignorance or their moral character, might, on their taking the oaths, be preachers and teachers. He thought that some qualification ought to be required before they were allowed to preach or teach, instead of their being self-elected and self-appointed, as they would be under this Bill. He did not, however, intend to give any opposition to this Bill, but he could not help lamenting that some provision was not made to ensure some test of qualification in the persons preaching and teaching.

Lord *Holland* said, the Bill had his support as far as it went to extend the system of Toleration, and as far as it was restrictive in its nature, he disapproved of it.

The *Lord Chancellor* did not say that he could altogether agree with the clause granting exemption in favour of every person who was a teacher or preacher; that, however, would be best judged of in the committee.

Earl *Stanhope* said, however the Bill might come out of the committee, he never meant to object to its passing.

The Bill was then read a second time, and committed for to-morrow.

PRISONERS' ESCAPE BILL.] Viscount *Sidmouth* moved the second reading of the Prisoners of War Escape Prevention Bill. He trusted that the Bill now before the House would prove a more effectual check than any which now existed to a thing which was most disgraceful to the country. A noble lord had moved for a list of the names of officers, prisoners of war in this country, who had contrived to make their escape within the last three years, and there had in consequence been laid on the table, a catalogue containing a list of names, as disgraceful to the persons themselves as to the country to which they belonged. A splendid contrast, highly gratifying to the pride of Great Britain, was presented on the other side. With feelings as much alive to liberty as any other nation could pretend to possess, Britons shewed that there was something still more dear to them, namely, the upholding their own personal honour and that of their country. There was not one instance to be found of any officer in our service having broken his parole with the enemy. There was a high and deliberate sense of honour, which conferred a distinction on this class of our countrymen, and placed them in this respect, as much above our enemies as they were in every other. It was, indeed, a subject of regret that the same spirit did not extend to all other classes of our subjects; for within the last three years, 464 officers on parole in this country, had effected their escape, who could not have done so without the assistance of others who were subjects of this country. This, in some respect, no doubt, tarnished the honour which the country otherwise had acquired. An eminent judge had lately expressed a doubt whether the crime of assisting in the escape of a prisoner of war did not amount to high treason, declaring at all events that it approached it most nearly: yet this offence was regarded, as the law now stood, only as a misdemeanour, and was treated as a bailable offence. The Bill now before the House did not go to the extremity of making this a capital offence, but only a transportable felony, the endurance of the period of transportation depending on the enormity of the offence.

The *Lord Chancellor* expressed his satisfaction at the mode in which the noble viscount had introduced the measure. The people of this country had not been aware of the peril on which they stood in aiding the escape of prisoners of war. It was right they should know, and on this his lordship risked his professional character, that the crime alluded to was as nearly allied to high treason as could be.

The Earl of *Darnley* concurred in thinking the crime sought to be checked one of the highest enormity. He was surprised it had not been sooner provided against.

Lord *Melville* said, it would appear from the returns on the table, that the great increase in the offence had taken place within the last year.

The Bill was then read a second time, and committed for to-morrow.

PRESERVATION OF THE PUBLIC PEACE BILL.] Viscount *Sidmouth* moved the second reading of this Bill, and that the Report of the Secret Committee be entered as read. As he understood that it was not intended to debate the measure in its present stage, he should not now enter into any full discussion of its principle; but should briefly call their lordships' attention to some of the points contained in the Report. From that it appeared, that the open disturbances in the county of Nottingham, which had been got under by the vigilance of the magistrates, had extended themselves to other counties. A most dangerous spirit of disaffection was manifested in associations by delegates,—in the levying of contributions,—and the exacting of payments from the loyal and peaceable subjects,—in binding themselves by a tremendous oath, and proceeding to acts of open violence, ransacking the houses of the loyal for arms and ammunition. Their movements were conducted by divisions and sections, and assumed the appearance of regular organization. He was surprised to see a smile on the countenance of a noble lord opposite, (lord Holland,) who was the ornament of the bench on which he sat; this surely was not a subject for derision: his noble friend might feel himself perfectly tranquil in the metropolis, surrounded by all kinds of protection; but it was impossible to describe the alarm—the painful anxiety which had been experienced by numbers of most respectable persons in the disturbed districts. A calm had not yet been produced. Only yesterday's post brought accounts of a respectable old man of 80, in the West Riding of Yorkshire, having his house entered, his arms taken away, and himself so much maltreated, that his life was in danger. As he had heard, with regret, of reflections cast on the magistracy of these countries, he thought it only justice to assert that their conduct had in general been most exemplary; and he could not let that opportunity pass, without bearing his testimony to the conduct of general Maitland, whom he was proud to call his friend, and who, in the command with which he was entrusted, had acted with a delicacy, an intelligence, and discretion, not to be exceeded. He trusted that the abundant harvest, of which we had the prospect, and the full employment likely to be given to our manufacturers, notwithstanding present appearances, would do much to allay the spirit of disaffection; but in the mean time the powers of the present Bill were absolutely necessary. He regretted that its enactment should be delayed a single day, because he knew the feelings of multitudes of most respectable men in the disturbed districts, who were anxiously looking to it as a means of security.

Earl *Grosvenor*, though he did not mean to oppose the Bill, wished it to be delayed for some time. The recal of the Orders in Council had already done much to give employment and restore tranquillity, and the agitation which still remained would soon subside. The Report of the Secret Committee seemed to have been drawn up by one of the ministers; for, from a family feeling, it described the promptitude and alertness of government, where no one else saw it.

Viscount *Sidmouth* contended, that any farther delay would only encourage the progress of assassination, and the destruction of property. The Report, he believed, was the Report of the whole Committee, and not of any individual.

Lord *Holland* should be very brief in his remarks, because an understanding appeared to exist, that there should be only one discussion on the Bill, and it suited some noble lords that it should be deferred to another stage. But he, for one, wished to be understood as opposing the principle of the Bill *in toto.* On one part of the noble viscount's speech he felt it necessary to say a few words. He had not treated the calamities and anxieties of individuals with derision, as the noble lord seemed to imagine,—nothing could be farther from his thoughts; but he had not been able to collect, from the speech of the noble lord, a single argument to shew the necessity of such extraordinary powers, though he was not unwilling that something should be done, out of sheer decency to the noble lord who brought down the green bag with so much solemnity. He was persuaded that the dangers of the country had been prodigiously magnified.

Earl *Stanhope* never would consent to pass a Bill hostile to the constitution, without evidence of its necessity. The committee had examined no parole evidence, and two petitions against the Bill had been presented that very day. He stated a variety of reasons against the clause granting a search for arms. When men were deprived of their means of defence, they would be exposed to the attacks of common robbers and murderers.

The Bill was read a second time, and committed for to-morrow.

HOUSE OF COMMONS.

Thursday, July 23.

PETITION OF DANIEL ISAAC EATON.] Sir

S. Romilly brought up a Petition from Daniel Isaac Eaton, now a prisoner in Newgate, and sentenced to be imprisoned there for eighteen months, for publishing the third part of Paine's Age of Reason, complaining of the exactions of certain exorbitant fees, and of other abuses, in the prison. On the hon. and learned gentleman moving that the Petition be read,

Mr. *Wilson* expressed a hope that, after the instances which had occurred during the present sessions, the House would be peculiarly guarded in future in receiving Petitions, the truth of the contents of which was not in some measure verified by the member who might present them.

Sir *S. Romilly* said, it would be utterly impossible for members to examine into the allegations contained in the Petitions which it might be their fate to present. If this was once considered indispensable, very few Petitions would ever be laid on the table of the House.

Mr. *Wilson* said, he did not mean to give any opposition to the bringing up of the Petition.

The Petition was then brought up, and read. It stated, that when the prisoner was conducted to Newgate from the Court of King's-bench, he was asked by the gaoler, in what part of the prison he would wish to be confined? and having answered on the state side, he was, after paying a fee of two guineas, conducted to that part of the prison. He was confined in a room with two other persons, and for the use of a bedstead, which was not sufficient to bear his weight, and which eventually broke down, and forced him to lie on the floor, a sum of seven shillings per week was exacted, and a similar sum was paid by his fellow prisoner. On remonstrating with the gaoler on this exorbitant and extortionate charge, he was given his choice either to go to the master felons' side, where he would only have 2*s.* 6*d.* per week to pay, or to the common felons' part, where he would have nothing to pay. If he chose to remain on the state side, he must pay the sum demanded,—and under the dread of being sent to herd with the lowest criminals, he had since continued to pay the sum demanded. When he was formerly confined on the same side of the prison, it was solely devoted to the reception of prisoners committed by parliament, by government, or by the Court of King's-bench. It was now, however, the receptacle of criminals of the most abandoned character. Assassins, persons charged with unnatural offences, and felons, who, on paying the fees and charges demanded, were thus indulged. Twelve rooms were appointed on the state side for the accommodation of the prisoners sent thither, but the greater part of those rooms were occupied by Mr. Astlett, a respited felon; a Mr. Lumley, charged with forgery, and other persons, who, by paying sums of two guineas per week, were allowed to monopolize in some cases two, and others, three rooms, to the great inconvenience and hardship of persons who were not equally able or willing to comply with such enormous charges. The house of the gaoler was divided into sets of chambers, for which sometimes fifteen, and at others ten guineas per week were demanded and paid; thus rendering the emolument of the gaoler a bar to the ends of justice. The Petition, after some further remarks on the injustice of such arrangements, prayed an enquiry into the state of the prison, in order that the manifold abuses which existed might be remedied.

The Petition was ordered to lie on the table.

FINANCE RESOLUTIONS.] Sir *T. Turton* moved, that the order of the day for resuming the adjourned debate, respecting the State of the Finances of the country, should be read. The order having been read accordingly, the hon. baronet proceeded to observe, that he was aware, from long experience, of the difficulty of obtaining the attention of any very numerous body of the members of that House to a subject so extremely dry and uninteresting as a detail of matters connected with the finances of the country. Nevertheless, it was a subject of such vital importance to the state, and upon which the very salvation of the country depended, that he should ill perform his duty to his constituents, if he could be deterred, by any apparent neglect on the part of others, from stating his sentiments on a topic so highly interesting. At the commencement of the session, he had taken the liberty of submitting to the House some propositions on the state of our finances, which, however, did not meet with that degree of attention which he conceived they merited. He could only lament that those propositions had not come from the acute mind of his right hon. friend (Mr. Tierney), or from the right hon. the Chancellor of the Exchequer, whose qualifications and abilities were particularly calculated for topics involving so many questions of difficulty. His object on the present occasion was, with as much clearness and perspicuity as he could, to shew to the House and country, the real situation in which they stood, with regard to their finances, and unless the House felt disposed to accompany him in such an investigation, he contended that it would be impossible for the country to go on. An inquiry of this description at the present momentous crisis, he deemed of the last importance, and one which, if neglected, would lead to the final destruction of the state. In order that his observations might be more easily comprehended, he should divide his subject into three parts; namely, into the Debt of the country, the Expenditure of the country, and the Resources of the country. He begged to remark, that his reason for commencing his statement in 1802, was with the view of continuing that series which had been so long and with so much ability, presented to parliament by his right hon. friend (Mr. Tierney) who, at that period, had most unfortunately ceased to make his annual remarks upon the subject. The right hon. the Chancellor of the Exchequer had confined his statement in the Resolutions which he had submitted to the House, to the period between 1805 and 1812, but this diminution of the general view was of no material importance, as the conclusions upon the latter years must still be the same, and with the exception of one or two trifling errors their accounts were perfectly accordant. The same observation was applicable to the Resolutions of his right hon. friend (Mr. Tierney), although their arrangement was somewhat different.—The hon. baronet then proceeded to draw the attention of the House to the state of the Debt of the country, in doing which, he took occasion to observe, that no committee had ever been appointed to examine into the general state of the finances, although several committees had been appointed on detached points connected with it. He passed the highest encomiums on the adoption of the plan of a Sinking Fund, in the praise of which, he said, it was impossible to say too much. If, however, the present system was pursued, in spite of every plan, however meritorious, it would be utterly impossible to extinguish the debt of the country. Year after year had it progressively increased, and the prospect of its diminution was now more distant than ever. In 1802, the capital funded debt of Great Britain was, exclusive of annuities, 459,067,551*l.* and in 1812, it amonnted to 556,284,819*l.* being, in the course of eight years, an increase of the enormous sum of 107,217,268*l.* The amount of the unfunded debt in 1804, was 23,787,251*l.* in 1805, 31,515,548*l.* and in 1812, (including outstanding demands) 54,038,059*l.* being an increase of the unfunded debt compared with the year 1804 of 30,250,807*l.* and making the amount of the funded and unfunded debt, at the commencement of the present year, 669,556,245*l.*—Having thus stated the amount of the Debt of the country, and the enormous increase which had taken place, he proceeded to advert to the Expenditure of the country, which, he said, was proportionately enormous, and which he could see no rational mode of reducing, if the same measures now adopted were to be pursued. Here he could not help noticing an error which was committed by a noble lord (Castlereagh) on a former night, when he stated that the whole of the army expenditures of the last year had amounted only to 25 millions. So far was this from being correct, that the expenditures, from the accounts upon the table of the House, appeared to have amounted to 30,500,000*l.* To talk of 25 millions, was a fallacy which only tended to mislead the judgment of the House. With respect to the gross amount of expenditure, from the accounts on the table, it appeared that the sum raised for the service of the year 1804, was 58,500,915*l.* and for the year ending 5th January, 1812, 105,718,682*l.* being an increase in that period of 47,217,767*l.* The question now to be considered was, what could be done to reduce this prodigious expenditure, and whether the country could, by possibility, go on under such a system? He would submit whether, as we could not bring our income to our expenditure, we ought not to reduce our expenditure to our income? It might be that expenditures had taken place with too lavish a hand. This was a fact which required investigation; and this it was which impressed on his mind the expediency of calling the attention of the House to the subject. The third point of his enquiry was, as to the Resources which the country possessed, to supply the means of these expenditures. They were at present the permanent taxes, which in 1802, amounted to

14,497,000*l.*; and in 1812, to 40,986,860*l.* being an increase since 1806, of 26,689,000*l.* which, with the war taxes, amounting in the last year to 21,999,550*l.* and the whole of the revenue of every other sort, amounted to 66,849,000*l.* The hon. baronet then entered into a comparison of the amount of the taxes collected within the last years, from which he inferred that they had considerably fallen off in produce. With respect to the Income Tax, which he could never hear mentioned without considering it the most unjust and oppressive that had ever been invented; he remarked, that in 1811 the produce was 12,925,000*l.* and in 1812 it amounted to 13,145,000*l.*—here certainly was an apparent increase, but this increase was wholly attributable to the arrears of the last year having been collected with extraordinary rigour. The diminution in the commercial taxes he admitted might be occasioned by temporary circumstances and embarrassments, but upon a review of all the items he had enumerated, he could find no source from whence to derive hope of eventual prosperity. The whole of the income, as he had already stated, was only sixty-six millions, while the expenditure amounted to 101,000,000*l.* thus making an actual deficiency in the income, as compared with the expenditure, of 35,000,000*l.* He would ask, with this deficiency, was it possible for the war to be carried on upon the same footing as heretofore; or, if continued, was it possible to save the country from inevitable ruin?—The hon. baronet next alluded to the state of the funds, and attributed the great fall of stocks to the experiment which was made to place the whole loan in the 4 per cents. After which he entered into a general argument on the necessity of looking into the real state of the finances of the country, and of appointing a committee for that purpose. He also suggested the expediency, either of putting an end to the war altogether, or so far circumscribing our operations as to keep within our means; and not by involving ourselves in an overwhelming expence, lead to our eventual ruin. He could not conclude without alluding to the state of Ireland, which, he said, was unable to pay the interest of her debt by 500,000*l.*; and yet the House was continually occupied in the discussion of the propriety or impropriety of granting them Catholic Emancipation. To grant them this, he conceived, would be like putting a gold-lace hat upon a person without shoes or stockings. In conclusion, the hon. baronet again pressed upon the House the necessity of adopting some plan of rigid economy, and of enquiring, with the most scrupulous attention, into the state of our finances, and, above all things, he exhorted his Majesty's ministers to use every endeavour, consistent with the honour of the country, to procure to the people the restoration of the blessings of peace, as the only effectual means of relieving the burdens of the country, or of averting the, otherwise, inevitable ruin of its finances.—The hon. baronet concluded with moving the first of his Resolutions; for which see p. 956.

Mr. *Tierney* rose also to submit his financial Resolutions* to the House. With due deference to the hon. baronet who had just sat down, he might be allowed to prefer to his resolutions those which he had himself framed, and which he was about to submit to the House. He had taken a great deal of pains in preparing them, and every man acquainted with financial subjects must know the difficulty of compressing accounts so complicated, in such a manner as to offer a clear and distinct view of the subject. His object had been to shew the true state of the finances of England, leaving to every one to form their own judgment. He had began at January, 1804, which, in a financial point of view, he considered as the first year of the war, and had established a comparison between that and every succeeding one, dividing them into periods of three years, which he had found was the fairest way to come at the average of revenue and of expenditure. His only view had been to make the matter intelligible to every one in the country, and to call the attention of the House to a subject of the greatest importance. His first Resolution went to establish as a fact, the gradual progress of the war expenditure during those nine years. The supplies voted for the navy, army, ordnance, vote of credit, and subsidies, formed the object of those calculations.

The proportion was as follows:

1804	£.33,493,207
1805	40,504,000
1806	41,699,520
Total, three years ending 1806,	£.120,698,727

---

* A Copy of Mr. Tierney's Resolutions will be found at the end of this Debate.

Average per annum	£.40,232,909
1807	£.45,776,924
1808	45,569,179
1809	50,033,429
Total, three years ending 1809,	£.141,379,532
Average per annum	£.47,126,510
1810	£.48,565,400
1811	52,173,700
1812	55,846,500
Total, three years ending 1812,	£.156,585,600
Average per annum	£.52,195,200

His next Resolution went to establish, on the same principles, the progress and the nature of the resources to meet that expenditure. Those resources were under the following heads: Money borrowed in Great Britain, for the service of Great Britain and Ireland: Amount of Exchequer Bills funded, together with the actual surplus of the Consolidated Fund: The Annual Duties and the Grant of War Taxes. The right hon. gentleman thought the average for each period of three years would prove that the proportion of supplies raised by revenue, compared with that raised by war, had gradually decreased, in each of the periods of three years. The right hon. gentleman complained especially of the too great issue of Exchequer bills, as forming a branch of those Ways and Means, and which, by anticipating the resources of the country, hurt the public credit, and injured the money market. His next Resolution would prove how inadequate the Sinking Fund was to the redemption of the public debt; for, in 1804, the Sinking Fund was in the proportion of 1-77th part of the debt, and in the same year the surplus of the money borrowed was 3,717,053*l.* But in 1812, the Sinking Fund was 1-44th of the debt, while the surplus of the money borrowed, exclusive of the loan to the East India Company, was 15,878,182*l.* His sixth Resolution went to state the amount of money by Exchequer bills funded, and the charges attending that debt, which, since January 1804, had been increased by a sum of 11,747,232*l.* His seventh Resolution related to the increase of charges on the Consolidated Fund, for war purposes, which had been raised from 843,784*l.* their amount in 1804, to 1,905,000*l.* their amount in 1812. His eighth and last Resolution spoke for itself; it stated the amount of the expences of the present year, which amounted to the enormous sum of 101,871,199*l.* The right hon. gentleman then commented on the several Resolutions, and specially recommended to the attention of the House the gradual increase of borrowed money over the supplies raised in the year. He would no longer trouble the House on each separate Resolution, but merely observe, that the account he had made, and which had cost him a great deal of pains, had, in his opinion, greatly simplified the business, and for his pains, at least, entitled him to some thanks. Gentlemen would observe, that, in taking the surplus of the Consolidated Fund, he had taken every thing for that surplus, comprehended every part of that Fund, which, after paying the interest of the debt, was applicable to other purposes. He was certain, that every one who would take the trouble of reading his Resolutions would be convinced, that he had exaggerated nothing from party-spirit. On the amount of duties he would say nothing, as they were liable to so many variations. And, as to the war taxes, he would observe, that although they were sometimes in arrear for six months, yet as the deficiency was made up by Exchequer bills, payable at six months also, the arrears in general were recovered in time to pay them off, and this offered a fair prospect, that six months after peace, which was the period at which those taxes were to determine, all accounts concerning them would be finally wound up. The comparative state of the public debt was, however, deserving of most serious consideration. It would be seen, that it had been gradually increasing, and yet public credit had been comparatively but little hurt by it; this was a circumstance for which he could not account. He had attempted to obtain a statement of the price of stocks, at different periods, but this he could not do in a manner satisfactory to himself, and he left the task to gentlemen better able to undertake it. This comparatively favourable state of the public credit could not, however, be attributed to the operation of the Sinking Fund, as he had shewn before. The nature of that fund was such, that it afforded no relief to the burthens of the country; it was intended to relieve, or rather to keep up public credit; but if it did not effect that purpose, and if public credit was held up by other means, it was a circumstance well worth attention, and it might be soon considered as useless. It was at the same time worthy of remark, that at the rate the loans were gaining on the Sinking Fund, there could be no hope of ultimately discharging the debt by that means. The right hon. gentleman next adverted to the state of the unfunded debt, which was daily increasing in frightful proportion, and had such a weight on the money market as to throw frequently the finances of the country at the mercy of the holders of those marketable government securities. What system of finance was this that was thus liable to every fluctuation which panic or cupidity might occasion? It was well known, for instance, that the Bank had insisted this year for the reimbursement of two millions of Exchequer bills, and that at the most unfavourable moment, when the country was, besides its immense expenditure, loaded with a loan of 2,500,000*l.* to the East India Company. In fact, his right hon. friend, the Chancellor of the Exchequer, was at the mercy of the Bank by that unfunded debt; and he wished most earnestly to call the attention of the House to that growing evil, and to the increased charges attending it, as likely to produce the most dreadful results.—The right hon. gentleman next adverted to the prospect of peace, which, far from affording relief to the finances of the country, as many people expected, would leave them without resources, as the war taxes would then expire, and the only fund unappropriated would be the surplus of the consolidated fund, which he had shewn totally inadequate to the purpose. Here the right hon. gentleman took a view of the different attempts under lord Sidmouth's administration, and when lord Henry Petty was Chancellor of the Exchequer, to raise supplies within the year; he complimented the present Chancellor of the Exchequer, on the share he had had in that wise practice under lord Sidmouth, and hoped that he would again recur to it, and abandon the wretched system of finances which had been followed for the last nine years. He did not pretend to say that we had reached the end of taxation; far from it—but of this he was sure, that things could not long go on in the present way. The readiest resource which offered itself, was economy. He gave every credit to his right hon. friend the Chancellor of the Exchequer for his intentions on that subject; but although he did not intend to mix politics with the subject, yet he must observe, that a strong administration was necessary for that purpose. With the present Chancellor of the Exchequer he found no fault, especially as he had declared, that he had only brought forward the budget prepared by the late Mr. Perceval; but still he would insist, that a radical change in our financial system was absolutely necessary. The right hon. gentleman next adverted to the Resolutions proposed by the hon. baronet, and felt himself compelled to vote against them, on account of the last, which stated that nothing but peace could save the finances of the country. This he did not believe, nor was it the fact; and even if it was, he would hardly whisper it in a corner, instead of proclaiming it in the face of the world, and encouraging the presumptuous hopes of the enemy. The right hon. gentleman, after recapitulating his various arguments, urged the necessity of a strong financial system; the people were able and ready to support it, and he implored his right hon. friend to turn his thoughts to that subject before the next session of parliament.

The *Chancellor of the Exchequer* said, that he agreed with the two hon. gentlemen who had spoken before him in that which, indeed, the appearance of the House sufficiently testified; namely, that the majority of the House felt a strong disinclination to turn their attention to subjects of the nature of that now under discussion. He could not, however, agree with the hon. baronet (sir T. Turton) that this disinclination arose from a conviction of the alarming state of public affairs, and an unwillingness to look into the real situation of the country. He (the Chancellor of the Exchequer) could not so belie the solid sense and manly fortitude of this nation, as to believe that like a bankrupt spendthrift, it was afraid to look into its accounts. He believed that the House had judgment to discern, and resolution to execute, whatever measures were necessary to the security of the country, however painful might be the sacrifices which those measures might involve. They had on former occasions shown themselves equal to the effort of making such sacrifices, and he did not doubt that, as often as the necessity should again arise, they would not fall short of their former conduct.

The hon. baronet, as the general remedy for the evils which he had deplored, had proposed the appointment of a committee to investigate the finances of the country.

—He (the Chancellor of the Exchequer) begged to remind the hon. baronet that several such committees had been appointed, and he was far from undervaluing the effect of their labours. He knew how much the country owed to that committee of which the Speaker had been the chairman, and how much it was also indebted to another, whose laborious exertions were not yet terminated. But if a committee were wanting, he thought the House, in the present state of its numbers, might well answer the purpose of such a committee, and the temper and moderation with which hon. gentlemen had addressed the House, would lead him to augur favourably of their deliberations.

But though he gave the hon. baronet the fullest credit for the intentions with which he had brought forward the resolutions which he had proposed to the House, and though he agreed in the accuracy of many of the statements contained in them, he believed that, so far as those statements were accurate, they would be found embodied in the series of resolutions which he himself proposed to submit to the House, when it should have decided with respect to those of the hon. baronet; and he also had met with so many errors and inaccuracies in the hon. baronet's statements, that he could by no means recommend to the House to adopt them as resolutions.

He should therefore adopt the course which had been usual on similar occasions, of moving the previous question upon them, except the last, which appeared to him so objectionable, that he could not consent to meet it otherwise than by a decided negative. It had, indeed, been condemned by the right hon. gentleman who followed (Mr. Tierney) and he (the Chancellor of the Exchequer) could not conceive a proposition more calculated to damp the spirit of this country, and to encourage the hopes of the enemy.—Were the people of this nation indeed so reduced as to believe, and were their representatives ready to confess, that the total ruin of our finances could only be averted by peace? Could any thing be more calculated even to defeat its own purpose, and to destroy all hopes of a tolerable peace, while at the same time, it enfeebled the energy, and destroyed the resources of war?

He then pointed out some of the errors to which he objected in sir T. Turton's resolutions, and proceeded to observe, with respect to those proposed by Mr. Tierney, that he thought the tabular form in which the right hon. gentleman had stated them extremely convenient, as presenting to the view, in the shortest and clearest manner, the general result of the public accounts. For this reason he thought that if the House should be engaged in a similar discussion in a future year, it might be convenient to adopt the form he had proposed; but in the present instance, he could not consent to adopt the resolutions themselves, having discovered some considerable inaccuracies in them, and suspecting others, which the want of time had prevented him from tracing.

He should therefore move the previous question upon the right hon. gentleman's resolutions also, with a view of proposing others, prepared in a form to which, on other occasions, the House had given its sanction, and the accuracy of which had undergone official examination.

After some observations on those parts of Mr. Tierney's resolutions which he considered as inaccurate, and pointing out his reasons for differing from them, he proceeded to observe that he (Mr. T.) appeared to suppose that there was something extraordinary and mysterious in the present low state of the funds, and after much investigation, had at last pitched upon what appeared to him to be a very whimsical reason for it. The right hon. gent. intimated an opinion that the low price of the funds was occasioned by the greatness of the war taxes. This appeared to him (the Chancellor of the Exchequer) to be one of those fanciful discoveries which sometimes insinuate themselves into an ingenious mind, while it was so far from having any real foundation, that it was the exact reverse of the actual fact. The public expenditure was defrayed, partly by sums raised within the year, of which the war taxes formed the principal branch, and partly by loan. Now it was obvious to common sense, that an increase of the loan must have a tendency to depress the funds. If, therefore, an increase of the war taxes produced the same effect, it would follow that the same effect might arise from contradictory causes, a species of logic which seemed to him very novel. To him it appeared that, without resorting to any mysterious cause, the great amount of the loan of the year, and, in particular, the great extent of our foreign expenditure, together with that want of confidence which could not fail to attend an unsettled state of public affairs, would sufficiently account for the depression of the funds. The sums raised by loan amounted in this year to no less than 35,000,000*l.* and our foreign expences in Europe only, besides naval and colonial expences, might probably not fall short of 15,000,000*l.* The same effect had, in former cases, been produced by the same causes. In the years 1795 and 1796, public credit was depressed to an extraordinary degree, under the same circumstances, of increasing loans and great foreign expenditure. The depression could not at that time arise from war taxes, because no war taxes then existed; but what was not less unfortunate for the right hon. gentleman's theory, in 1798 and 1799, war taxes to a considerable amount were actually imposed, and the funds, instead of falling still lower, rapidly rose.

The right hon. gentleman had made an observation on the conduct of the Bank, which the circumstances were far from warranting. He had accused that corporation of occasioning the unfavourable terms of the loan, by pressing upon the government, suddenly, and at a most inconvenient time, for a reduction of Exchequer Bills. The right hon. gentleman was wholly mistaken in the fact. The application of the Bank was so far from being sudden, that it had been mentioned to him by Mr. Perceval several months ago, and upon a reference to the books at the treasury, he found that a correspondence on the subject had existed for upwards of a twelvemonth. The increase of Exchequer bills, whether upon the whole expedient or not, was so far from originating in any proposition from the Bank, that it had been uniformly discouraged by that body. It appeared to have been adopted to avoid a greater increase of the funded debt, and in the hope, which events had disappointed, of an opportunity of converting them into stock to greater advantage. Mr. Pitt had acted several years ago upon similar expectations, and met with the same disappointment, and he could not think that any blame was to be attributed to the late Chancellor of the Exchequer on this subject, though his views had certainly not been realized.

The right hon. gentleman had alluded to another subject, on which he (the Chancellor of the Exchequer) had differed from his predecessor, namely, that of the loan of 1809, charged upon the war taxes; but he had, at the time, assigned his reasons for that difference of opinion, and did not wish now to revert to them.

He might be allowed shortly to touch upon the more pleasing view of those parts of Mr. Perceval's financial administration, which he thought deserving of public approbation. Mr. Perceval had brought to the conduct of the finances (a branch of business to which his early habits had not much accustomed him) the resources of a judicious, powerful and penetrating mind, and the most exemplary integrity and diligence; and his success, he believed, exceeded the expectations of the public, and certainly exceeded those which he (Mr. V.) had formed, much as he had known and respected the general powers of Mr. Perceval's mind. In two respects he thought his measures particularly deserving of commendation and imitation. First, in the plans for the suppression of frauds on the revenue, and for its more speedy and regular collection, in which plans he believed his predecessor had been ably seconded by the hon. gentleman on the floor (Mr. Huskisson.) The other point to which he alluded, was Mr. Perceval's care in limiting the nominal capital of the public debt by funding in preference in those stocks which bear a high rate of interest. He knew that there were many persons, and among them some whose opinions were very deserving of attention, to whom this appeared a point of little consequence. He could, however, by no means agree with them, for, in the first place, the effect upon public opinion was great. Even in this country, in which the nature of our funds is so well understood, the amount of our public debt was always spoken of, and its state at different periods compared, according to the extent of its nominal capital. In foreign countries this was much more decidedly the case, and no ideas were entertained by, or could be easily explained to, foreigners, of the difference of value between funds of an equal nominal amount. But there was another difference much more real and effective. Whatever might be the actual value received for any portion of stock which was created, it was, strictly speaking, only redeemable by the payment of its nominal capital, at par. It was not indeed probable that this extreme case would often happen, but it must usually occur that a sum borrowed in time of war would, in time of peace, be redeemed by a payment greatly exceeding the amount of the loan for which it was created. In sums of so large an extent, this excess of payment might amount to many millions, which would have been saved, if funds of a high rate of interest, equally redeemable by payment of their nominal capital, could be resorted to. This, however, could not always be the case; at least without a sacrifice with respect to the rate of interest, even greater than the inconvenience of increasing the nominal capital. These observations might be illustrated by the actual occurrences of the present year. The loan which he had lately contracted in the 3 per cents might probably in its redemption cost the public much more in proportion than that raised by his predecessor in the 5 per cents. But he had been precluded by a positive stipulation entered into when that previous loan was contracted, from attempting to raise any further loan upon a 5 per cent fund; and even if no such stipulation had existed, the state of the market would, he believed, have rendered it impossible to do so.

It was, however, true that the increase of the public debt had been limited, not so much by the particular mode of borrowing, as by the great efforts of the country to raise supplies within the year. Much had been said, in the course of the session, by different gentlemen, of the necessity of equalizing our income and our expenditure. He fully agreed with those gentlemen, in the importance of keeping this object in view; but he desired to point out to the House in how great a degree it had already been obtained by the spirit and resources of the country. In the ten years preceding the peace of Amiens, the amount of capital added to the public debt, was, upon an average, not much less in each year, than 28,000,000*l.* In the nine years between the renewal of the war and the 1st of February last, the annual average addition had been only about 8,000,000*l.* and the extraordinary loans of the present year would only raise the average to between 9 and 10 millions. He must, however, observe, that the loans of the present year, amounting, for Great Britain, to 28,000,000*l.* must not be considered entirely as an addition to the debt. The repayment of Exchequer Bills, amounting to 2,500,000*l.* and of 100,000*l.* Loyalty Loan ought to be deducted, leaving therefore an actual increase of debt, of less than 25 millions and a half.

Still, this was a great, and he must be allowed to say, an extraordinary extent of loan. The right hon. gentleman had observed that there was nothing extraordinary in the circumstances of the present year, to account for an unusual increase of debt. He was, however, of a very different opinion, and could mention two circumstances occurring in the present year, either of which had been usually found sufficient materially to diminish the income of the country, and which, when united, could not fail to have a very considerable operation; while, on the other hand, the extent of our military services had raised the amount of the public expences higher than at any former period. The first of these was the stagnation of trade; the second, the high price of grain. In one point of view, indeed, the effect of the stagnation of trade was rather of a consolatory than of an alarming nature. It was generally believed even in this country, but was universally admitted, as a sort of political axiom on the continent, that the resources of Great Britain were wholly dependent on her commerce. That this opinion was implicitly received by the ruler of France was evident from his measures. There was no extent of privation or suffering to which he was not ready to reduce his own subjects, when by so doing he could hope to embarrass or cripple our trade: in this attempt he had succeeded to a very considerable degree, and a combination of other causes had much increased our difficulties. Comparing the accounts of the last year with those of the two years which preceeded, it would appear that the exports of British manufactures had been diminished not less than one third. On learning this fact, the French Emperor would undoubtedly anticipate a similar reduction of our revenue; but what appeared to be the fact? The total produce of all taxes in the year ending the 5th of April 1812 had indeed fallen short of that of the preceding year, by about 800,000*l.* a sum by no means so great as to be alarming. But in the year ending the 5th of July, the produce of the taxes had actually exceeded that of the corresponding year. This was not less consolatory to us than alarming to those who flattered themselves that we were upon the verge of despair and ruin.

The nations of the continent had been ready to conclude that any depression of our trade must relax our exertions, but they now might see that this was not the case, and that we were still able to maintain a long struggle, and disappoint those who wished for our destruction.

The effects of the high price of grain upon our revenue he need not point out; they were sufficiently obvious, and had been verified by all former experience.

He was ready, indeed, to admit, and no man had more strongly felt, or oftener avowed, his conviction, that a great and arduous struggle still remained before us, and that, however strenuous the exertions had been which the country had already made to equalize its income and expenditure, much might yet remain to be done. So far as this could be effected by a reduction of expence, he should consider it as the most unobjectionable mode, and he should be equally ready to devote his own attention to the investigation of this subject, and to listen to the suggestions of others. But he could not avoid agreeing with the right hon. gentleman opposite (Mr. T.) that any economy in expenditure which could be looked for, except by a reduction of the great naval and military establishments of the country, was not likely materially to diminish the scale of the public expences, though, in other respects, most important, so far as it could be carried into effect.

With regard to a reduction of those establishments, that must be considered rather as a political than a financial question, and must be viewed in relation to the whole system of the operations of government. Whatever further aid might be required for so important an end, he was convinced that on a fair proof of its necessity, the country would be ready to contribute. Here, however, he must beg leave to explain himself. He thought it necessary that the income of the country should be such as to bear, without an addition of debt, what might be called the ordinary and permanent expences of the war, by which he meant all those which were not immediately connected with great enterprizes abroad. A great foreign expenditure was not necessarily connected with a state of war, and unless, from peculiar circumstances, it appeared likely to be of long continuance, it was rather to be considered as a temporary and extraordinary exertion. To this therefore he considered the extraordinary means which our public credit afforded as peculiarly applicable, taking care, nevertheless, that those means should not be overstrained, nor any false indulgence prevent our having recourse to more burdensome measures, if the long continuance of such expences should render them necessary. To place the finances of this country in such a state of permanent security, vigorous efforts had been made at three different periods; the first, by Mr. Pitt in 1798 and 1799, when the first war taxes were imposed: the next by Mr. Addington, upon the renewal of the war: when the expences and income of the nation were so nearly equalized, that by following the same system, this object would have been completely attained in a few years. It was, however, in a certain degree deranged by the German war of 1805, and another effort became necessary, which was made by lord Grenville and lord Henry Petty in 1806. And this effort he considered as having nearly, if not absolutely accomplished its purpose; for he believed it would be found, that, from that time to the present, all our expences, with the exception of foreign operations, would be covered by the income of the nation. He was not, therefore, of opinion, that further measures of a very burdensome nature were immediately necessary, though, if he should feel their necessity, he should as little shrink from proposing, as he trusted parliament would from adopting them. If the support of public credit, which must, at all events, be upheld, or any extraordinary pressure of expence, should make a great temporary exertion necessary, measures might be resorted to, some of which had been practised in other countries, and might be accommodated to the use of this. One of these, which would be effective to a great degree, would be a tax on capital, as distinguished from income. This had been frequently employed in other countries, and particularly in Holland, where, to a moderate extent, it had been usual in time of war, before the Revolution; but where, after the French invasion, it had been so extended, that, by an accurate account which he had procured during the peace of Amiens, it appeared that every proprietor had, between the Revolution and that time, paid upwards of 30 per cent. upon the whole value of his property. But what was very remarkable, and proved the inexhaustible resources of industry and good order, Holland still remained at that period the most wealthy country on the continent, although, in addition to these enormous contributions, she had lost her colonies and the greatest part of her foreign trade, and was subjected to a government by no means agreeable to the people. He was far from contemplating the necessity in this country of resorting to measures of so severe a nature, though he was convinced that, in case of necessity this country would readily pay, in the cause of independence and honour, what Holland had been forced to submit to, amidst subjection and disgrace. He could not say on whom the task might fall of proposing financial measures to the consideration of parliament in the next session, but should it be his arduous duty, he should probably feel it necessary to propose some plan, whatever it might be, for the more effectual support of public credit. What particularly occurred to him would be to make some addition to the Sinking Fund for whatever portion of the loan might exceed the amount of the sum to be redeemed within the year. Such a plan had, to a small extent, been already carried into execution in the present session, with respect to the Indian loan, and he might probably have proposed some similar measure of a more general kind, if the immediate urgency of bringing forward the financial arrangements of the year had not precluded him from making any material alteration in the plans which he already found digested by his lamented predecessor. He concluded by moving the previous question on the first Resolution proposed by sir Thomas Turton.

Mr. *Huskisson* thought that the House was much indebted to the hon. baronet for having called their attention to this very important subject; and conceived, that at some period of every session, it was proper to take into consideration the financial situation of the country. He thought upon the whole, that the view of our financial resources at the end of twenty years of hostilities, was calculated to give satisfaction to the country, and produce a feeling of exultation and pride. If ever there was a time in which the revenue of the country could be expected to have materially diminished, it was during the present pressure on our trade; and yet many parts of it (the Excise Duties particularly) had not decreased. We had the satisfaction to see that the ordinary taxes had not impaired the industry or resources of the country. That difficulty which had been always apprehended from the amount of taxation, we had not experienced. There was, however, another difficulty, and that a most serious one, in the present state of public credit. It was obvious, that some steps must be taken to raise the public credit. It was, therefore, necessary to consider every possible means of diminishing the loans. Retrenchment of expences was the means most generally spoken of. Nothing could be more fair, more respectable, or more likely to conciliate good will, than retrenching every useless expenditure. It must, however, be allowed, that no very considerable saving could be made, except by the reduction of some of our great establishments. He had long thought that considerable reductions might safely take place, particularly in our naval establishments. Reductions, he was convinced, might also be made with safety in our colonial expences, and in some of our military establishments, at home, as well as abroad. There had been a rapid increase of our navy lately, when the necessity was by no means apparent. In the year 1805, when there was a hostile fleet of 33 sail of the line in the harbour of Cadiz, and the Northern powers were doubtful—in that year, when the battle of Trafalgar was fought,—we had only 120,000 seamen; whereas now, instead of having diminished our navy in consequence of that victory, we employed 145,000. He certainly wished our naval superiority to be preserved; but there might be an unnecessary display of naval force, purchased much too dear by an excessive expenditure. But this was a question which should be left to the executive government. He believed, however, that there was a natural tendency in every department to draw as much as possible of the supplies of the year to itself. He considered this a very natural feeling; but at the same time the government should seriously consider whether the expenditure for the navy was not greater than any necessity required. He believed, also, that an unnecessary expence was incurred in many of our colonial establishments. He wished that this country would take a lesson from its powerful enemy, who always made his great exertions only for great objects; whereas if an equal degree of expenditure took place for every minute object, as well as for great ones, the resources even of this country might be found insufficient to produce any favourable results. Recommending it to ministers most seriously to consider whether there was not too great an expenditure in the naval and colonial departments, he would say, that the country must be prepared for greater sacrifices. As to peace, it was most evident that this country had no private object for continuing the war, if it could be concluded with safety and honour; but we must be content to make great sacrifices indeed, rather than make a peace in violation of our plighted faith to our allies, or such a peace as would degrade us to a second rate power in Europe. However peace must generally be wished for, yet annihilation would be better than giving up our honour, or our rank as a great power. He thought it absolutely necessary that our public credit should be supported, and raised from its present depression. By its depression there had been, in the course of a few years, a deterioration in the value of funded property of 20 per cent. This was a most serious loss to those who had purchased a few years ago. With regard to Ireland, it was a country rising very rapidly, which possessed a great capital, and which paid no direct tax. No income tax was paid there on the value of land, and officers living in that cheap country were exempted from a tax, which they must pay when upon foreign service, and in the dearest countries. This was most unequal, and, as he thought, oppressive to this country. The consequence of it as to public credit was this: that although the legal interest in Ireland was 6*l.* per cent, the Irish 5 per cents were at par, while the English were at 86. It was evidently necessary that the public credit should be improved in this country, and that government should be enabled to conclude their loans without paying more than the legal interest for money. To accomplish this, it would be necessary for the country to make great exertions and great sacrifices.

Mr. *Baring* thought that it was a very happy circumstance, that this discussion had been carried on with so much candour, and without any party spirit. The real opinions of the men whose authority was principally looked up to on financial questions, had been most fairly stated to the House. It appeared from these candid statements, that their opinions differed but little, and that they were all agreed that some considerable exertion must be made towards equalizing the revenue with the expenditure. It had hitherto been an unfortunate circumstance, that in the rapid changes of administration, each appeared to think it more necessary to get through the business of the year than to look forward to future times. From the discussion of this night, however, it was evident, that whoever might be Chancellor of the Exchequer next year, he must propose some plan for equalizing the revenue and the expenditure. It certainly might have been expected, that our complete success in the East and West Indies would have enabled us to have made a considerable reduction in our naval force. It was on this account that those conquests were considered valuable. He conceived, that the resources of this country were fully sufficient to meet any sacrifices that might be required, for the purpose of equalizing the revenue and the expenditure.

Mr. *Courtenay* was induced to make some observations, especially in regard to the measures of the late Chancellor of the Exchequer, for whose reputation he was naturally anxious. Other gentlemen who had spoken, though all feeling admiration for the virtues of Mr. Perceval, had been, some of them opposed to him on all polical subjects, and all of them opposed to him as to parts of his financial administration. His hon. friend indeed (Mr. Huskisson) had so correctly explained some of Mr. Perceval's measures as to relieve him from the necessity of going at length into the discussion. In illustration, however, of what had been said by Mr. H. of the hope held out to the people in 1807, that they would have a respite of three years from taxation, Mr. C. had to observe, that the fulfilment of this expectation might in one point of view be considered as favourable even to the progress of the revenue. When that expectation was held out by lord Henry Petty, it was said, that by abstaining from new impositions, we should give fair play to the existing taxes, the operation whereof, unchecked by additions, might probably encrease so as to produce the same effect as an increase of taxation. And this certainly might be said to have happened, for it appeared that the Revenue existing in 1807, had produced

On an average of 1804-5-6 making the necessary allowances for new duties.	£.33,829,000
In 1806........................	34,964,000
And the same duties had produced	
On an average of 1809-10-11	£.36,397,000
In 1811	35,707,000

But his hon. friend having brought Mr.

Perceval to the year 1809, there left him; (a laugh)—Mr. C. did not mean to allude to his political abandonment, but his abandonment in argument,—but Mr. C. wished to say, in reference to the measure of 1810, that the additional produce of the stamp duties, then made applicable to the interest of the loan, had been created by Mr. Perceval himself in 1808, so that there were in fact only three years during which the practice of abstaining from taxation prevailed. What had been said upon Mr. Perceval's adoption of a part of the famous plan of 1807 was quite erroneous. Mr. Perceval created the additional sinking Fund required by that plan, but without sanctioning the alienation, which that plan authorized, of the Sinking Fund in future.

Mr. C. then made a statement, shewing that, notwithstanding the abstinence from new imposts in several years, the progress of the revenue during Mr. Perceval's administration, taking together the increase of the old, and the produce of the new taxes, was very nearly commensurate with the increase of charge. The question, however, of how we were to proportion the burthen between the present and the future was certainly one of great difficulty, and he did not wish, any more than his hon. friend, to see a repetition of the measure of 1810.

With respect to the revenue in general, he did not think that even the Resolutions of his right hon. friend placed it in a sufficiently prominent point of view. He was desirous of shewing how it had continued to flourish. The taxes existing before the war had produced

On an average of 1800-1-2	£.30,313,000
And in 1802, (which was known to be a most unusually productive year)	31,698,000
These same taxes had amounted in 1811 to ...	31,280,000
And on an average of 1809, 1810, 1811 to	31,658,000

that is to say, they were now very little short of the very flourishing year, 1802, and considerably higher than the average prior to the war. And this, notwithstanding the addition of new permanent and war taxes, to the amount of more than 15,000,000*l.*, exclusive of the Property Tax!—These observations applied particularly to the Excise, a branch of revenue from which the prosperity of the country was especially to be deduced. The Excise, as it stood before the war, produced

On an average of 1800-1-2	£.14,457,000
In 1802	16,038,000
On an average of 1809-10-11	16,405,000
And in 1811	16,813,000

the last year having been, in spite of all discouragements, the most productive that had ever been known.

The inexpediency of coming to the Resolutions proposed by the hon. baronet, he thought had been sufficiently shewn by the Chancellor of the Exchequer. On the speech and propositions of the right hon. gentleman (Mr. Tierney), he would say a few words. That right hon. gentleman was quite incorrect in his statement respecting the Sinking Fund; he had represented it to be law at present, that the Fund should go on accumulating, until the whole debt of the country should be annihilated. It was not so; the consolidation which took place in 1802, applied only to the several Sinking Funds as they then stood, and which were thenceforward to be united, and jointly applicable to the redemption of the debt then existing. This consolidated Sinking Fund now amounted to nearly 9,000,000*l.*, and would redeem the debt existing in 1802, in 15 or 16 years. This statement Mr. C. wished to be applied to Mr. T.'s second Resolution. He had stated the proportion of the annual supplies raised by the revenue, and that raised by money borrowed; and he had shewn that the money borrowed was becoming the larger portion. Now, if from his statement of the unmortgaged revenue, he excluded, as he had in fact done, the amount of the Sinking Fund, he ought to consider his statement as applicable only to the period in which that Sinking Fund would remain entirely inapplicable to general purposes. If, on the other hand, he omitted to take notice of the period at which the Sinking Fund would begin to operate in direct relief to the people, and considered the whole as perpetually accumulating, he ought certainly to add its amount to his estimate of our unmortgaged, or (as lord H. Petty had styled it) our free revenue. Having alluded to the Sinking Fund, Mr. C. was anxious to express his earnest hope, that no encroachments would be made upon it. Its efficacy arose from the strict adherence to it which had been so justly the praise of Mr. Pitt and subsequent ministers. This adherence was infinitely more laudable even than the original institution. He would here just hint, that if any very strong measure, such as those alluded to by the Chancellor of the Exchequer, were adopted, it might be expedient to put it in the shape of an addition to the consolidated Sinking Fund, so as to accelerate the period at which the very great charge of the debt in 1802 (more than 20,000,000*l.*) would be set free. Mr. C. had, at the time, expressed his disapprobation of the measure adopted in 1802, by which the period of direct relief from the Sinking Fund was postponed; he had, as he trusted his right hon. friend (Mr. Vansittart) would do him the justice to recollect, protested elsewhere against any misapplication of the Sinking Fund, and he must beg leave to repeat and confirm that protest.

He had come to the House prepared to hear, that the state of our finances was such, that we could not continue to carry on the war upon its present scale; but he was most happy to observe, that, except from the hon. baronet, he had heard no such sentiment. Others only said that we could not continue it upon the present system of finance. Mr. C. was of opinion, that we could carry on the war upon a variety of financial systems; that if we wished to abstain for a longer period from new taxes, we could do so; or that we could raise new taxes if we determined to do so. The latter seemed at present the system, popular in the House and the country, and he had no doubt but that in the next year, his right hon. friend would be prepared with a measure of great exertion, by which all our difficulties would be removed.

Mr. *Whitbread* regretted that the colleagues of the right hon. the Chancellor of the Exchequer had not been present, that they might have heard the important views which had that night been given of the state of the finances. What had become of the Vice-President of the Board of Trade, and the rest, who had always vaunted so loudly of the prosperous state of the country, especially in the year 1810, which had been one of the worst years that this country had experienced,—a year of feverish activity, and hollow speculation,—the symptom of decline, and not the source of prosperity. The result of all, however, was, that we could not go on under the present system; but an hon. gentleman over the way had consoled the House by stating, that, at the end of 15 years, a considerable fund would be at our disposal; admitting, however, that it was not to be touched till the end of these 15 years, and not explaining very clearly how he intended to drag the nation on for that same 15 years. One had suggested a tax on coals, another a tax on iron, a third tax on wool; and the Chancellor of the Exchequer threw out a hint of a tax on capital, in addition to the tax on income. These were alarming symptoms. Measures like these could hardly have been in contemplation, unless our resources had appeared to be almost desperate; and if he were to form an estimate of the state of the country from what he had that night heard, he might conclude, to use a figure of a right hon. friend of his, that the scuttling time was almost come. All appeared to agree in this, that in the present state of our income, as compared with our expenditure, we could not go on. And if this was the case:—if this view of our situation had any foundation—ought not a wise government to shew some anxiety to enter into negociations for peace. The alarming depreciation of bank-paper ought also to be noticed. Our situation in that respect was now a great deal worse than when the House agreed to the whimsical Resolution of the present Chancellor of the Exchequer, that in public estimation paper was equal to gold. What would be the situation of the country, if, in addition to all our other difficulties, we should be involved in the calamity of a continued war with America? We were at this moment at war with America, though he hoped that it would not long continue. But if it did, and such taxes as they had heard of that night were to be imposed under the increased difficulties of the country, it might indeed then be said, that the scuttling time was come. He concurred in the resolution of the hon. baronet, recommending a due attention to the restoration of peace. But then it was said, the executive government ought not to be fettered. This was true, if the government had evinced an earnest desire to procure peace on honourable terms, which, he contended, it had not. Let them send to Buonaparté, and state the terms on which they were desirous to conclude a peace, as he had repeatedly sent to us. If they did not do this, they would probably be soon compelled to do it, by petitions from the people, and would thereby be forced to accept of worse terms. Why had not a diminution in the expenditure of the naval department taken place, when our fleets had so little occupation, and when our navy was so much more powerful than any thing that could be brought to oppose it? As a proof of that superiority, without keeping up such great numbers of ships, if any proof had been wanting, he might mention an anecdote of our admiral on the Scheldt station, who wrote to government that the Scheldt fleet appeared preparing to come out, begging at the same time that they should not think of sending him reinforcements; they had 16 ships; he had 12; if they sent him more, the French would not venture out; while he had only 12, they might; and he was sure of giving them a sound drubbing. The tax on wool was one which had never yet been in the contemplation of any of our financiers.—He then asked, what would be our situation, if, which God forbid, there should be occasion for another Regency? This, though unlikely, was not impossible, and might have the worst effect on public credit. He, however, was not to blame, for he had made the attempt to provide against that contingency. He also adverted to the seclusion in which the princess Charlotte of Wales lived, who was now out of her minority by law. Those who were to be her future subjects ought more frequently to see the princess, the hope and glory of England, as he trusted she would be. He concluded by again recommending a sincere attempt for the restoration of peace.

Mr. *Wilberforce* paid a high compliment to the memory of Mr. Pitt, who had rendered the finances of the country so clear, that they might be understood by the most ordinary capacities. He was anxious for peace. He was by no means disposed to say, that it was impossible to conclude peace with Buonaparté. This country must derive security from its strength and resources independent of any consideration of his character. But surely the hon. gentleman could not imagine that any peace could at present be made on the terms of leaving Spain in the hands of Joseph Buonaparté. He concluded by strongly recommending all possible retrenchment and economy.

Mr. *Hume* denied that the East India Company would eventually become any burden upon this country. He only wished that the government of this country would take example by the system which had recently been adopted by the governor general of India, and keep their expenditure within their income.

The *Chancellor of the Exchequer* observed, with reference to what had been said of the effect of an American war upon our finances, that he had no reason to think it would be so ruinous as had been supposed. We had been for some time past with America in a state little different from that in which we should be placed by a war, in a state which in some respects was worse than would result from a war of any duration. Though he differed much from those who asserted that war with America would be so ruinous to our finances, he readily assumed the converse of that proposition, that if a sincere reconciliation took place between this country and America, it would be a most important and beneficial event; and an event likely materially to contribute to ameliorate our present situation. With respect to what he had said of a tax upon capital, he had not spoken of it as of a measure which he had it in contemplation to adopt; but as one, which in a case of extreme necessity might be tried in this country, as it had been in others. A tax upon capital had been established in Holland; and he, at the peace of Amiens, had procured an account of its produce, from the time at which the French took possession of Holland, up to the period at which he procured the paper he spoke of. From this account it appeared, that the produce of the tax, in eight years, had amounted to no less than thirty per cent. on the total capital of the country; yet, under the heavy pressure of this tax, the United Provinces remained the most wealthy nation in Europe. This he mentioned as an example, not to be followed, but to shew, that even the pressure of such a tax would not inevitably ruin a country, nor, as some had appeared to think it must, wholly crush the spirit of its industry.

The previous question was then put and carried upon all the Resolutions moved by sir Thomas Turton, except the last, to which the Chancellor of the Exchequer was about to move a negative, when sir T. Turton agreed to modify it in any manner which might render it palatable to his Majesty's ministers. The hon. baronet then proposed to leave out all the words after the word "peace," which meeting the approbation of the Chancellor of the Exchequer, the right hon. gentleman proposed to meet the Resolution as he had done the former ones, namely, by the previous question, instead of a direct negative. After some conversation the gallery was cleared for a division, and, in the absence of strangers, it was agreed, that the previous question should be carried.

The previous question was then put and carried upon the Resolutions moved by Mr. Tierney.

The *Chancellor of the Exchequer* then moved the following Resolutions, which were agreed to by the House.

RESOLUTIONS ON FINANCE.

23d July, 1812.

1. That the total amount of the public funded debt of Great Britain was on the 1st of February 1803, 567,008,978*l.*;—of which 67,255,915*l.* had been purchased by the commissioners for the reduction of the national debt, and 19,180,587*l.* had been transferred to them on account of land tax redeemed; leaving a funded debt unredeemed of 480,572,476*l.*:—and, that the amount of annuities charged on Great Britain (after deducting what had fallen in) was, on 1st February, 1803, in short annuities and annuities for lives, 539,979*l.*, and in long annuities, 1,015,410*l.*

2. That the total amount of public funded debt created in Great Britain, for account of Ireland, was, on the 1st of February, 1803, 22,348,000*l.*;—of which there had been purchased by the commissioners for the reduction of the national debt, 1,123,415*l.*; leaving a funded debt unredeemed of 21,224,585*l.* together with long annuities to the amount of 9,791*l.*

3. That the total amount of the public funded debt created in Great Britain for account of the emperor of Germany, was, on the 1st of February, 1803, 7,502,633*l.*;—of which 375,137*l.* had been purchased by the commissioners for the reduction of the national debt; leaving a funded debt unredeemed of 7,127,496*l.* together with annuities to the amount of 230,000*l.* which will expire in 1819.

4. That the amount of the outstanding demands unprovided for on the 5th of January 1803, exclusive of unfunded debt, and of the anticipation of certain duties annually voted, was 592,630*l.*: that the deficiency of ways and means for the year 1802 was 171,431*l.*;—making the amount of demands unprovided for on the 5th of January 1803, 764,061*l.*

5. That the unfunded debt, in exchequer bills unprovided for, or charged upon funds which proved insufficient, was, on the 5th of January 1803, 9,827,400*l.*, including 3,000,000*l.* in the Bank, which bore no interest, in consideration of the renewal of the charter.

That the unfunded debt in navy bills was, on the 5th of January 1803, 3,105,648*l.*

6. That the total amount of the public funded debt of Great Britain, including therein the sum of 6,300,000*l.* created for the service of Ireland in 1811, the interest of which has hitherto been defrayed by Great Britain, was, on the 1st of February 1812, 771,370,396*l.*; whereof 189,538,480*l.* had been purchased by the commissioners for the reduction of the national debt, and 23,941,057*l.* had been transferred to them on account of land tax redeemed, and 1,606,040*l.* by purchasers of life annuities, leaving a funded debt unredeemed of 556,284,819*l.* And that the amount of annuities charged on Great Britain (after deducting such as have fallen in) was, on the 1st of February 1812, in short annuities and annuities for lives, 177,999*l.* including 112,427*l.* granted in consideration of stock transferred to the commissioners, and in long annuities 1,140,602*l.* And that a further debt, amounting to 40,743,031*l.*, had been created by the sums borrowed, and exchequer bills funded in the present session of parliament, out of which 100,292*l.* five per cent annuities of 1797, have been paid off, or provided for.

7. That the total amount of the public funded debt created in Great Britain, for account of Ireland, exclusive of the above mentioned sum of 6,300,000*l.* created in 1811, was, on the 1st of February 1812, 61,274,250*l.*; of which there had been purchased by the commissioners for the reduction of the national debt, 9,085,958*l.*, leaving a funded debt of 52,188,292*l.*, together with long annuities to the amount of 104,083*l.* And that a further debt, amounting to 7,656,000*l.* capital stock, has been created by sums borrowed in the present session in Great Britain on account of Ireland.

8. That the total amount of the public funded debt created in Great Britain for account of the emperor of Germany, was, on the 1st of February 1812, 7,502,633*l.*;—of which 1,234,514*l.* had been purchased by the commissioners for the reduction of the national debt, leaving a funded debt of 6,268,119*l.* together with annuities to the amount of 230,000*l.* which will expire in 1819.

9. That the total amount of the public funded debt created in Great Britain

for account of the prince regent of Portugal, was, on the 1st of February 1812, 895,522*l.*;—of which 118,568*l.* had been purchased by the commissioners for the reduction of the national debt, leaving a funded debt of 776,954*l.*

10. That a public funded debt in Great Britain for account of the East India Company, to the amount of 4,400,000*l.* will be created by a loan in the present session of parliament.

11. That the amount of outstanding demands unprovided for on the 5th of January 1812, exclusive of unfunded debt, and of the anticipation of certain duties annually voted, was 1,656,720*l.*;—the whole of which has been paid off, or provided for in the present session.

12. That on the 5th of January 1812, there were outstanding in exchequer bills, charged on the aids of 1812, 19,762,000*l.*; 1,238,000*l.* charged upon the aids of that year, remained unissued; there were also outstanding 3,000,000*l.* held by the Bank at 3 per cent. in consideration of the renewal of the charter, and 3,000,000*l.* on which an advance was made by the Bank without interest, in 1808, and 1,500,000*l.* on account of bills originally issued for the service of the East India Company; making a total of exchequer bills unprovided for, of 28,500,000*l.*

That the unfunded debt in navy bills was, on the 31st of December 1811, 7,883,890*l.*

13. That the variations in the state of the public debt between the 1st of February 1803 and the 1st of February 1813, being ten years of war, may be estimated as follows:

The public funded debt of Great Britain, unredeemed, which on the 1st of February 1803 was 480,572,476*l.* will, including therein the sum of 6,300,000*l.* created in 1811 for the service of Ireland, amount to about 575,177,850*l.* after deducting about 21,850,000*l.* for the operation of the sinking fund during the current year, and for stock which may be transferred on account of life annuities (and exclusive of the effect of the redemption of land tax in this year); being an increase of capital of about 94,605,374*l.*

The public funded debt created in Great Britain for account of Ireland, unredeemed, which, on the 1st of February 1803, was 21,224,585*l.* will, exclusive of the above mentioned sum of 6,300,000*l.* amount to 58,236,076*l.* after deducting 1,608,216*l.* for the operation of the sinking fund during the current year; being an increase of capital stock of 37,011,491*l.*

The long annuities of Great Britain, which, on the 1st of February 1803, were 1,015,785*l.* will amount to 1,140,602*l.*; being an increase of annual charge of 124,817*l.*

The long annuities created in Great Britain for account of Ireland, which, on the 1st of February 1803, were 9,416*l.* will amount to 104,083*l.*; being an increase of annual charge of 94,667*l.*

The unfunded debt in exchequer bills, unprovided for, which, on the 5th of January 1803, was 9,827,400*l.* will, supposing the whole of the grants of exchequer bills in the present session to be issued, amount to 26,000,000*l.*; being an increase of 16,172,600*l.*

The unfunded debt in navy bills, which, on the 5th January 1803, was 3,105,648*l.* will, supposing it to be the same as on the 5th January 1812, amount to 7,883,890*l.*; being an increase of 4,778,242*l.*

The funded debt created in Great Britain for account of the emperor of Germany, unredeemed, which, on the 1st of February 1803, was 7,127,496*l.* will be reduced to 6,137,353*l.* after deducting 130,766*l.* for the operation of the sinking fund during the current year; being a diminution of capital stock of 990,143*l.*

The short annuities of Great Britain, and annuities for lives, which, on the 1st of February 1803, were 539,979*l.* will be reduced to about 197,999*l.*; supposing 20,000*l.* to be further granted for stock transferred to the commissioners in the current year; being a diminution of annual charge of about 341,980*l.*

The sum applicable to the redemption of the debt, which, on the 1st of February, 1803, was for the debt of Great Britain, 5,834,986*l.*; for debt created in Great Britain for account of Ireland, 258,434*l.*; for debt created in Great Britain for account of the emperor of Germany, 47,947*l.*; making a total of 6,141,367*l.*; will amount at 1st February 1813 to about 13,034,000*l.* for the debt of Great Britain; 1,019,000*l.* for the debt created in Great Britain for account of Ireland; 77,600*l.* for the debt created in Great Britain for account of the emperor of Germany; 35,400*l.* for the debt created in Great Britain for account of the prince regent of Portugal; and 113,800*l.* for the debt created in Great Britain for the East India Company; making a total of 14,279,800*l.* being an increase of 8,138,433*l.*

14. That the annual charge on account of the public funded debt of Great Britain, after deducting the charges of management on loans redeemed by the commissioners for the reduction of the national debt, and the interest and charges of management on stock transferred for the redemption of the land tax, was, on the 1st of February 1803, 23,510,967*l.*; and on 1st February 1812, 32,411,132*l.*; and that a further charge has been incurred on account of stock created in the present session, amounting to 1,905,924*l.*

15. That the sum annually applicable to the reduction of the national debt of Great Britain, in pursuance of the several acts relating thereto, was, on the 1st of February 1804, 6,311,626*l.*; being about 1-77th part of the unredeemed debt existing in 1804, and may, at the 1st of Feb. 1813, be estimated at 13,034,000*l.*; being about 1-44th part of the unredeemed debt then existing.

16. That the total net produce of the permanent taxes in the year ending 5th January 1803, amounted to 28,246,681*l.* including 715,323*l.* paid for bounties on corn and rice imported in the year 1802; and in the year ending the 5th of January 1812, the total net produce of permanent taxes amounted to 35,404,781*l.*

17. That the net produce of the war taxes was, in the year ending

5th April 1804, Customs and Excise 3,377,442*l.*; Property tax 363,877*l.* - - - -	£ 3,741,319
5th April 1805, Customs and Excise 7,868,078*l.*; Property tax 3,919,108*l.* - - - - -	11,787,186
5th April 1806, Customs and Excise 8,496,550*l.*; Property 4,481,958*l.* - - - - - -	12,978,508
5th April 1807, Customs and Excise 9,305,799*l.*; Property 7,000,082*l.* - - - - - -	16,305,881
5th April 1808, Customs and Excise 9,018,225*l.*; Property 10,817,595*l.* - - - - - -	19,835,820
5th April 1809, Customs and Excise 8,806,899*l.*; Property 11,279,423*l.* - - - - - -	20,086,322
5th April 1810, Customs and Excise 8,956,209*l.*; Property 13,751,233*l.* - - - - - -	22,707,442
5th April 1811, Customs and Excise 9,727,213*l.*; Property 12,925,987*l.* - - - - - -	22,653,200
5th April 1812, Customs and Excise 9,425,373*l.*; Property 13,145,266*l.* - - - - - -	22,570,639
And that the net assessment of the Property tax, on an average of the 3 years ended 5th April 1809, -10, & 11, was	11,969,255

18. That the net produce of the new and additional duties imposed each year, from the 5th of January 1793 to the present year, on an average of the two years last past, or of the last two years, whereof a separate account has been laid before parliament, was respectively as follows;

	Permanent Taxes.	War Taxes.			Total.
1793	295,464				295,464
1794	1,224,267				1,224,267
1795	1,343,157				1,343,157
1796	1,312,497				1,312,497
1797	3,064,598				3,064,598
1798	685,771	Aid and Contribution collected in several years prior to 1809, including voluntary Contribution		6,575,581	7,261,352
1799	128,903	Convoy Duty Income Duty	1,216,251 5,335,903	6,552,154	6,681,057
1800	783,906				783,906
1801	1,945,335				1,945,335
1802	5,012,274				5,012,274
1803	651,473	Customs and Excise Property	7,906,597 4,691,196	12,597,793	13,249,266
1804	960,346	Customs		704,674	1,665,020
1805	1,564,218	Property		1,608,373	3,172,591
1806	1,071,646	Customs Excise Property	298,936 561,226 5,771,824	6,631,986	7,703,632
1807	Nil.	Excise		114,904	114,904
1808	1,354,203				1,354,203
1809	105,000				105,000
1810	Nil.				Nil.
1811 to 5 Jan. 1812	162,370				162,370

The War Duties of Customs, imposed in the years 1803, 1804, and 1805, cannot be exactly apportioned, on account of the Consolidations which have taken place. The Property Tax is taken upon the average of the Net Assessments.

19. That the official value of all imports into Great Britain in the year ending 5th January 1803, was 31,442,318*l.*; and on an average of six years, ending 5th January 1803, was 28,419,626*l.*

That the official value of all imports into Great Britain, in the year ending 5th January 1812, supposing the imports from the East Indies (of which no account has yet been made up) to be the same as in the preceding year, was 29,233,484*l.*; and on an average of six years ending 5th January 1812, was 31,910,959*l.*

20. That the official value of British manufactures exported from Great Britain in the year ending 5th January 1803, was 26,993,129*l.*; and on an average of 6 years ending 5th January 1803, was 22,942,800*l.*

That the official value of British manufactures exported from Great Britain in the year ending 5th January 1812, was 24,109,931*l.*; and on an average of 6 years, ending 5th January 1812, was 28,900,672*l.*

And that the real value of British manufactures exported in the year ending 5th January 1803, may be estimated at 48,500,683*l.*; and in the year ending 5th January 1812, at 34,917,281*l.*

21. That the official value of foreign merchandize exported from Great Britain in the year ending 5th January 1803, was 14,418,837*l.*; and on an average of six years ending 5th January 1803, was 11,651,333*l.*

That the official value of Irish produce and manufactures exported from Great Britain in the year ending 5th January 1812, was 302,541*l.* and of foreign merchandize was 7,977,157*l.*; and on an average of three years ending 5th January 1812, the export of Irish produce was 426,376*l.* and of foreign merchandize 11,043,207*l.*

22. That in the year ending 5th January 1803, the number of British vessels entered inwards in Great Britain, was 13,622; their tonnage, 1,793,333; and the number of men employed in them, 108,669:—That the number of British vessels cleared outwards, was 13,012; their tonnage, 1,625,966; and the number of men employed in them, 102,427.

That in the year ending 5th January 1803, the number of foreign vessels entered inwards in Great Britain, was 3,733; their tonnage, 480,241; and the number of men employed in them, 27,737:—and that the number of foreign vessels cleared outwards, was 3,352; their tonnage, 461,823; and the number of men employed in them, 26,749.

That in the year ending 5th January 1812, the number of British ships entered inwards in Great Britain, was 12,908; their tonnage, 1,522,692; and the number of men employed to navigate them, 94,740:—that the number of British ships cleared outwards, was 12,774; their tonnage, 1,507,353; and the number of men employed to navigate them, 96,739.

That in the year ending 5th January 1812, the number of foreign ships entered inwards in Great Britain, was 3,216; their tonnage, 687,180; and the number of men employed in them, 34,160:—that the number of foreign ships cleared outwards, was 3,350; their tonnage, 696,232; and the number of men employed in them, 37,262.

23. That the number of British ships built and registered in the several ports of the British empire (except Ireland) in the year ending 5th January 1803, was 1,281; their tonnage 137,538; 1804, 1,402; tonnage 135,349; 1805, 991; tonnage 95,979; 1806, 966; tonnage 89,975; 1807, 772; tonnage 69,198; 1808, 770; tonnage 68,000; 1809, 568; tonnage 57,140; 1810, 596; tonnage 61,455; 1811, 685; tonnage 84,891; 1812, 772; tonnage 104,100.

24. That the total sum to be provided by Great Britain, within the year 1812, may be estimated as follows:

Interest of public funded debt, charges of management and sinking fund - - -	£. 32,411,132
Interest, charges of management, &c. to be paid between 1st February 1812, and 5th January 1813, on stock created in the present session, to the amount of 40,743,031*l.* after deducting interest on 5*l.* per cents. 1797, paid off, about -	1,526,015
Interest of Imperial Loan	495,858
Civil government of Scotland: pensions on revenue, militia and deserters warrants, bounties for promoting fisheries, &c. estimated to be the same as in the year ending 5th January 1812 - - - -	941,275
Charges of collection and management of the revenue, estimated to be the same as in the year ending 5th January	

1812 - - - - - - - - -	3,096,581
Proportion to be defrayed by Great Britain of the Civil List and other charges on the Consolidated Fund of Great Britain, including the addition made to the Civil List in the present session, and estimating the other charges to be the same as in the year ending 5th January 1812, 15-17ths of 1,482,151*l.* - - - - -	1,307,781
Separate charges of Great Britain for 1812; viz. Interest of Exchequer Bills 1,700,000*l.*; Loyalty Loan repaid 100,292*l.*; Grant of Exchequer Bills reduced 2,500,000*l.* - - - -	4,300,292
Supplies voted 1812, for Great Britain and Ireland, 58,188,456*l.*; Deduct proportion of Supplies and Civil List to be defrayed by Ireland, 7,025,700*l.* - - - - - - -	51,162,756
	55,463,048
Making the sum of - -	£. 95,241,690

25. That the funds applicable to discharge the sum to be provided by Great Britain for the year 1812, may be estimated as follows; viz.

The gross receipt of the permanent revenue, including taxes annually voted, and all charges of management after deducting drawbacks, &c. estimated to be the same as in the year ended 5th Jan. 1812	£.42,753,676
War taxes, appropriated to the charge of loans 1807, 1809 and 1811 - - - - - - -	2,706,000
Estimated further produce, to the 5th January 1813, of taxes imposed in 1811 - -	738,000
Estimated produce, to the 5th January 1813, of taxes imposed in the present session -	600,000
Small branches of the hereditary revenue, and imprest monies repaid, estimated to be the same as in the year ending 5th January 1812 - - - -	205,525
Lottery, deducting the proportion for Ireland - - - -	300,000
Grant upon war taxes, to 5th April 1813 - - - - -	20,400,000
Loans - - - - - - - -	22,439,625
Exchequer Bills charged on aids 1812, funded - - - -	3,102,400
Surplus Ways and Means, 1811, in consequence of the funding of Exchequer Bills -	2,209,626
Total - -	£. 95,454,852

26. That the total amount of the public funded debt of Ireland, on the 1st February 1803, including 24,210,333*l.* Irish currency, funded in Great Britain, was 39,541,258*l.* of which 2,146,794*l.* had been purchased by the commissioners for the reduction of the national debt, leaving a funded debt unredeemed, of 37,394,464*l.*; and that the amount of annuities payable by Ireland, after deducting what had fallen in, was, in annuities for lives by survivorship, 48,900*l.* and in annuities for terms of years, 80,525*l.*

27. That the amount of unfunded debt and demands outstanding in Ireland on 5th January 1803, was 1,492,687*l.*

28. That the total amount of the public debt of Ireland, including 61,274,250*l.* British, funded in Great Britain, but exclusive of 6,300,000*l.* created in 1811, for the service of Ireland, was on the 1st February 1812, 92,729,992*l.* Irish currency; of which 14,516,508*l.* had been purchased by the commissioners for the reduction of the national debt, leaving a funded debt unredeemed of 78,213,484*l.*; and that the amount of annuities payable by Ireland on the 1st of February 1812, was 3,206,049*l.* in annuities for lives by survivorship 48,900*l.* and in annuities for terms of years 130,882*l.*; and that a further debt will be created by loans raised in the present session of parliament, amounting to 10,094,000*l.* Irish currency.

29. That the amount of unfunded debt and demands outstanding in Ireland, on the 5th January 1812, was 1,869,011*l.*; and that a further unfunded debt will be created by loans raised in the present session of parliament amounting to 691,667*l.*

30. That the annual charge on account of interest, management, and redemption of the public funded debt of Ireland including 129,425*l.* for annuities, was, on the 1st of February 1803, 1,997,451*l.* Irish currency; and on the 1st February 1812, 4,405,542*l.* including 179,782*l.* for annuities; and that a further charge has been incurred on account of the sums borrowed in the present session of parliament, of 420,078*l.*

31. That the variations in the state of the public debt of Ireland between 1st February 1803, and the 1st February

1813, being ten years of war, may be estimated as follows:

The public funded debt of Ireland unredeemed, which on the first of February 1803, was 37,394,464*l.* Irish currency, will amount to about 85,687,322*l.* exclusive of the above-mentioned sum of 6,300,000*l.* after deducting 2,620,162*l.* for the operation of the sinking fund during the current year; being an increase of the capital stock of about 48,292,858*l.*

The unfunded debts and demands outstanding, supposing exchequer bills shall be issued to the amount granted in the present session, will, on 5th January 1813, amount to about 2,560,678*l.* being an increase of 1,067,991*l.*

32. That the sum applicable to the redemption of the public funded debt of Ireland, which on the 1st of February 1803, was 489,798*l.* being about 1-76th part of the unredeemed debt then existing, was, on the 1st February 1812, 1,485,115*l.*; being about 1·52nd part of the unredeemed debt, and may be estimated to amount on the 1st February 1813, to about 1,668,372*l.*

33. That the total net payments into the exchequer on account of the ordinary revenue of Ireland, in the year ending 5th Jan. 1803, was 3,314,293*l.*; and in the year ending 5th Jan. 1812, was 4,171,240*l.*

34. That the official value of all imports into Ireland, in the year ending the 5th January 1803, was 6,037,741*l.* :—And

That the official value of all imports into Ireland, in the year ending the 5th of January 1812, was 7,231,603*l.*

35. That the official value of Irish produce and manufactures exported from Ireland, in the year ending 5th January 1803, was 4,876,070*l.* and the real value thereof, 8,276,817 :—And,

That the official value of Irish produce and manufactures exported in the year ending 5th January 1812, was 5,833,996*l.* and the real value thereof, 11,567,219*l.*

That the official value of foreign merchandize exported from Ireland in the year ending the 5th of January 1812, was 212,208*l.*; and in the year ending the 5th of January 1812, was 256,415*l.*

36. That the number of Irish vessels which entered inwards in Ireland, in the year ending 5th January 1803, was 1,408; their tonnage, 98,101; and their men, 7,001 :—of British vessels, 5,826; their tonnage, 535,819; and their men, 31,805 :—and the number of foreign ves,els, 366; their tonnage, 53,560; their men 3,791:

That in the year ending 5th January 1812, the number of Irish vessels which entered inwards was 1,956; their tonnage, 133,748; and their men, 9,125 :—The number of British vessels, 7,404; their tonnage, 686,255; and their men 39,504 :—and the number of foreign vessels, 644; their tonnage, 129,994; their men, 6673.

37. That the total amount of the sums raised for the public service of Great Britain, exclusive of the charge of loans raised for the service of Ireland, for ten years ending the 5th of January 1803, comprising the whole period of the war terminated by the peace of Amiens, was about 531,700,000*l.*; whereof about 177,480,000*l.* has been applied to the charge of the public funded and unfunded debt, and 354,220,000*l.* to all other services: and that of the above sum of 531,700,000*l.* about 269,970,000*l.* has been raised by the various branches of the ordinary revenue, about 32,679,000*l.* by extraordinary war taxes, and about 229,051,000*l.* by additions to the public funded or unfunded debt.

38. That the total amount of the sums raised for the public service of Great Britain, for nine years ending the 5th of January 1812, being the nine first years of the present war, was about 708,255,000*l.*; whereof about 264,400,000*l.* has been applied to the charge of the public funded and unfunded debt, and 443,855,000*l* to all other services: and that of the above sum of 708,255,000*l.* about 402,255,000*l.* has been raised by the various branches of the ordinary revenue, about 146,600,000*l.* by extraordinary war taxes, and about 159,400,000*l.* by additions to the public funded or unfunded debt.

39. That if the sum raised by war taxes previously to the peace of Amiens, had been added to the loans of each year, and raised at the same rate at which such loans were actually raised in each year respectively, a further charge would have been incurred of 48,678,000*l.* capital stock, and 1,850,000*l.* annual charge to be raised by permanent taxes.

40. That if the sum raised by war taxes, during the first nine years of the present war, had been added to the loan of each year, and raised at the same rate at which such loans were actually raised in each year, a further charge would have been incurred of 210,838,947*l.* capital stock, and 10,221,901*l.* annual charge to be raised by permanent taxes."

The following is a Copy of the RESOLUTIONS ON FINANCE proposed by Mr. Tierney.

I.—THAT the SUPPLIES voted for the NAVY, ARMY, ORDNANCE, VOTE OF CREDIT, and SUBSIDIES, for the years 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, and 1812, may be stated as follows; viz.

—	1804:	1805:	1806:	1807:	1808:	1809:	1810:	1811:	1812:
	£.	£.	£.	£.	£.	£.	£.	£.	£.
NAVY, including Ordnance for Sea Service - -	12,350,000	13,967,000	15,994,000	17,400,000	18,317,000	19,578,000	19,829,000	20,935,000	20,362,000
ARMY - - Ordinary - - -	16,769,000	14,320,000	14,635,000	15,532,000	15,942,000	17,929,000	17,145,500	17,459,000	17,763,000
D° - - - Extraordinaries	2,000,000	3,600,000	3,600,000	3,550,000	3,350,000	3,000,000	2,750,000	3,200,000	5,200,000
To make good Excess of Extraordinaries beyond Estimate of preceding Year - - - - - - -	339,207	660,000	272,380	793,710	147,179	215,429	441,500	627,100	2,301,500
ORDNANCE - - - - -	3,737,000	4,457,000	4,198,140	3,321,214	3,713,000	5,311,000	3,819,400	4,352,600	4,620,000
SUBSIDIES - - - - -	- - - - -	- - - - -	- - - - -	180,000	1,400,000	700,000	1,380,000	2,400,000	2,400,000
VOTE OF CREDIT - - -	3,300,000	3,500,000	3,000,000	5,000,000	2,700,000	3,300,000	3,200,000	3,200,000	3,200,000
	38,495,207	40,504,000	41,699,520	45,776,924	45,569,179	50,033,429	48,565,400	52,173,700	55,846,500
			40,504,000			45,569,179			52,173,700
			38,495,207			45,776,924			48,565,400
Total 3 years ending 1806 - 3)			120,698,727		3 years ending 1809 - 3)	141,379,532		3 years ending 1812 - 3)	156,585,600
Average per Annum -			40,232,909		Average per Annum -	47,126,510		Average per Annum -	52,195,200

II.

THAT the MONEY borrowed in Great Britain, for the Service of Great Britain and Ireland; the Amount of EXCHEQUER BILLS funded; together with the actual SURPLUS of the CONSOLIDATED FUND; the Annual DUTIES, and the GRANTS of WAR TAXES; may, for the Years 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, and 1812, be stated as follows; viz.

——	1804:	1805:	1806:	1807:	1808:	1809:	1810:	1811:	1812:
	£.	£.	£.	£.	£.	£.	£.	£.	£.
Money borrowed and Exchequer Bills funded - -	14,500,000	22,500,000	20,000,000 22,500,000 14,500,000	14,200,000	*18,000,000	†21,932,100 18,000,000 14,200,000	20,311,000	24,000,000	‡32,221,325 24,000,000 20,311,000
Total	3 years ending 1806 - -		57,000,000	3 years ending 1809 - -		54,132,000	3 years ending 1812 - -		76,532,325
Actual surplus of the Consolidated Fund - - -	2,452,857	3,559,591	3,746,077	4,476,870	3,141,827	7,019,774	5,753,715	4,073,531	Est^{e}. 3,572,500
Annual Duties - - - -	2,750,000	2,750,000	2,750,000	2,750,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
War Taxes - - - - -	15,440,000	14,500,000	18,000,000	19,800,000	20,000,000	19,000,000	19,500,000	20,000,000	20,400,000
	20,642,857	20,809,591	24,496,077 20,809,591 20,642,857	27,026,870	26,141,827	29,019,774 26,141,827 27,026,870	28,253,715	27,073,531	26,972,500 27,073,531 28,253,715
Total raised by Permanent and Annual Duties, and War Taxes - - - -	3 years ending 1806 - -		65,948,525	3 years ending 1809 - -		82,188,471	3 years ending 1812 - -		82,299,746
Total raised by Additions to the Public Debt - -	3 years ending 1806 - -		57,000,000	3 years ending 1809 - -		54,132,100	3 years ending 1812 - -		76,532,325
More raised by Revenue than Money borrowed -	3 years ending 1806 - -		3)8,948,525	3 years ending 1809 - -		3)28,056,371	3 years ending 1812 - -		3)5,767,421
	Average per Annum -		2,982,841	Average per Annum -		9,352,123	Average per Annum -		1,922,473

* Including £.3,500,000. lent by the Bank. † Exclusive of £.600,000. borrowed for Portugal. ‡ Exclusive of £.2,500,000. borrowed for the East India Company.

III.

THAT the Amount of the PUBLIC FUNDED DEBT of Great Britain, Redeemed and Unredeemed, the Annual Charges of each Year, together with the SINKING FUND applicable to the Reduction of Debt, may, for the Years ending 1st February 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, and 1813, be stated as follows: viz.

Years Ending 1st Feb.	TOTAL DEBT.	DEBT.		Annual Charge of Unredeemed Debt.	SINKING FUND.	TOTAL Annual Charge respecting The Debt.	Proportion of the Sinking Fund to the Unredeemed Debt.
		Unredeemed.	Redeemed.				
	£.	£.	£.	£.	£.	£.	
1804	583,448,978	484,162,622	92,846,355	17,795,194	6,282,947	24,078,142	1-77th.
1805	603,925,792	493,127,726	110,798,066	18,055,154	6,834,114	24,889,269	1-72d.
1806	640,752,103	517,280,561	123,471,542	18,720,048	7,566,539	26,286,588	1-68th.
1807	669,652,846	533,076,124	136,576,722	19,157,176	8,237,288	27,394,464	1-64th.
1808	687,689,958	536,776,026	150,913,931	18,894,987	9,291,913	28,186,900	1-57th.
1809	701,229,515	535,741,052	165,488,462	19,005,325	9,843,674	28,848,999	1-54th.
1810	722,466,770	541,977,854	180,488,916	19,468,190	10,509,392	29,977,582	1-51st.
1811	742,239,101	545,662,698	196,576,403	19,763,797	11,171,949	30,935,746	1-48th.
1812	771,370,396	556,284,819	215,085,577	20,418,318	11,992,814	32,411,132	1-46th.
1813	812,113,427	575,177,850	236,935,577	21,235,061	Est^{e} 13,082,056	34,317,000	1-44th.

IV.

THAT the Proportion between the Amount of the Sinking Fund applicable to the Redemption of the Funded Debt of Great Britain, and the Amount of Money borrowed, and Exchequer Bills Funded (for Great Britain), may, for the Years 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, and 1812, be stated as follows; viz.

For the Year	Amount of Money borrowed, and Exchequer Bills Funded.	Amount of Sinking Fund, 1st Feb.	Excess of Money borrowed.
	£.	£.	£.
1804	10,000,000	6,282,947	3,717,053
1805	20,000,000	6,834,114	13,165,884
1806	18,000,000	7,566,539	10,433,461
1807	12,200,000	8,237,288	3,962,712
1808	* 12,000,000	9,291,913	2,708,087
1809	† 18,932,100	9,843,674	9,088,426
1810	16,311,000	10,509,392	5,801,608
1811	‡ 19,500,000	11,171,949	8,328,051
1812	§ 27,851,000	11,992,814	15,878,182

* Exclusive of £. 3,000,000 lent by the Bank, without Interest, during the War.

† Exclusive of £. 600,000 borrowed for Portugal.

‡ Exclusive of £. 4,500,000 borrowed for Ireland, the Interest of which Ireland has not provided for.

§ Exclusive of £. 2,500,000 borrowed for the East India Company.

V.

THAT the Amount of the Unfunded Debt, under the Heads of NAVY DEBT and EXCHEQUER BILLS outstanding (including Exchequer Bills issued in anticipation of Taxes,) may, for the years 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, and 1812, be stated as follows; viz.

	Navy Debt.	Exchequer Bills outstanding.	TOTAL.
5th January	£.	£.	£.
1804 - - -	4,037,307	19,067,600	23,104,907
1805 - - -	5,001,567	25,253,500	30,255,067
1806 - - -	5,911,588	27,180,400	33,091,988
1807 - - -	5,835,819	27,207,500	33,043,319
1808 - - -	6,561,237	31,942,900	38,504,137
1809 - - -	7,221,167	40,093,200	47,314,367
1810 - - -	8,263,175	39,164,100	47,427,275
1811 - - -	7,395,838	38,286,000	45,681,838
1812 - - -	7,883,890	41,491,800	49,375,690

VI.

THAT the Total Amount of Money borrowed, and Exchequer Bills funded, since 5th January 1804, (the Interest and Charges on which have have been provided for by Great Britain,) is - - - -	£. 159,323,000
That the increase of the Navy Debt, between 5th January 1804, and 5th January 1812, is - - - - - - - -	3,846,483
That the increase of Exchequer Bills outstanding and unprovided for, between 5th January 1804, and January 1812, is - - -	16,172,600
Total Money borrowed, and unfunded Debt created, since 5th January 1804 - - - - - - - - £.	179,342,083
That the increased Annual and Permanent Charge, incurred by Great Britain, exclusive of Interest of Debt, provided for by Ireland, since 5th January 1804, is - - - - - - -	£. 10,947,232
That the Interest on increased amount of Exchequer Bills, outstanding and unprovided for (£.16,172,000.) is - - - -	800,000
Increased Annual Charge since January 1804 - - £.	11,747,232

VII.

THAT the Increased Charge on the Consolidated Fund, on account of Additions made to the Funded Debt of Great Britain, and the Income provided to defray the same, may from the 5th January 1804 to 5th January 1813, (supposing the Produce of the New Taxes to continue the same as on the 5th of January 1812) be stated as follows; viz.

For the YEAR	CHARGE.	INCOME:		
		From The growing Produce of new Taxes, imposed to meet the Charge of the Year.	From the Transfer of War Taxes; from Expired Annuities: and from Charge on Growing Produce of Consolidated Fund.	
	£.	£.		£.
1804 -	843,784	960,346		
1805 -	1,439,754	1,555,336		
1806 -	1,205,359	1,021,199		
1807 -	1,212,574	- - - - -	Transfer of War Taxes, - - - £.1,200,000 Expired Annuities 15,515	1,215,515
1808 -	729,231	281,675	Expired Annuities 375,000 Saving on management of Debt at the Bank - - 65,000	440,000
1809 -	1,145,566	105,566	Transfer of War Taxes - - - -	1,040,000
1810 -	970,808	- - -	Charged on then existing Stamp Duties, being part of growing Produce of Consolidated Fund - - - - - - -	946,683
1811 -	1,495,062	420,309	Transfer of War Taxes - - -	466,000
1812 -	1,905,000	Est^d. 1,805,000		£.4,108,198
		£.6,149,365	Produce New Taxes - - -	6,149,365
			Deficiency of New Taxes - -	689,669
£.	10,947,232		£.	10,947,232

VIII.

THAT the Total Sum to be provided by Great Britain, for the year 1812, may be estimated as follows; viz.

	£.
Interest of Public Funded Debt, Charges of Management, and Sinking Fund, 5th January 1812 - - - - - - - -	32,411,132
Interest, &c. to be paid between 5th January 1812 and 5th January 1813, on Stock created in the present Session - - - -	1,527,497
Interest, &c. on Imperial Loan - - - - - - -	496,277
Payments for Civil Government of Scotland, Militia and Deserters-Warrants, Bounties, &c. estimated to be the same as in the year ending 5th January 1812 - - - - - - - - - -	941,275
Charges of Collection and Management of the Revenue, estimated to be the same as the year ending 5th January 1812 - - -	2,779,191
Proportion to be defrayed by Great Britain of the Civil List, and other Charges on the Consolidated Fund estimated at £.1,591,403 ($\frac{15}{17}$) -	1,402,179
Proportion of Supplies voted 1812 for Great Britain and Ireland, to be provided by Great Britain - - - - - - - -	55,463,648
Total Sum to be provided by Great Britain - - £.	94,021,199
Add	
Raised in Great Britain for East India Company - - -	2,500,000
Raised in Great Britain for Ireland - - - - - -	4,350,000
Total Sum to be raised in Great Britain in 1812 - £.	101,871,199

HOUSE OF LORDS.

Friday, July 24.

Toleration Bill.] The House resolved itself into a Committee on the Toleration Bill.

The *Lord Chancellor* objected to the clause granting exemptions to preachers and teachers exercising any other profession or occupation, contending, that complete justice was done to the principle of the Bill by the exemption granted in the preceding clause to preachers and teachers, not exercising any other profession or occupation, except that of a schoolmaster, and that if persons of this description resorted to secular occupations, they ought in return for the advantages derived from their secular occupations, to be liable in the same manner as other persons to secular duties. He therefore moved to strike out the clause.

Lord *Holland* was disposed to acquiesce in striking out this clause, but doubted how far, if the clause was struck out, dissenting ministers in the possession of land, although following no other occupation, might be deprived of their exemptions.

The Earl of *Lauderdale* also entertained the same doubt, and proposed to insert words to the effect, that a dissenting minister should not be deprived of his exemptions on account of the occupation of from 25 to 30 acres of land.

The *Lord Chancellor* was of opinion, that the same rule in this respect would apply to dissenting ministers, as did to the clergy, namely, that although a clergyman could not take land to farm, yet that his being in possession of a lease of land in consequence of a death of a relation, or his holding land in fee simple, was not considered in law a taking to farm. This construction of the law would also, he conceived, be applied under this act, to dissenting ministers, so that their possession of land under such circumstances, would not deprive them of exemptions. With respect to amendments, he thought some caution should be used, lest all the benefits sought to be conferred by the Bill should be risked.

The clause was struck out.

Earl *Stanhope* contended, that under the words of the Bill, assemblies for religious worship, not consisting of more than 20, exclusive of the family and servants of the occupier of the premises, the doors being required not to be fastened, would be liable to be intruded upon, and that two or three more coming in would make it an illegal assembly, the place of meeting not being certified. He therefore moved an amendment to confine the non fastening of doors to certified places of meeting.

The *Lord Chancellor* contended against this construction of the act, and observed, that if any dispute arose as to the number of the congregation, it could be easily settled by an enquiry into the fact.

The Amendment was negatived.

Earl *Stanhope* moved another amendment in the proviso, 'saving the ecclesiastical jurisdiction,' to confine that jurisdiction to the ministers of the Church, complaining that he could not learn from any one what was meant by the phrase, 'the ecclesiastical jurisdiction over the Church.'

The Archbishop of *Canterbury* observed, that 'over the Church,' meant over those who belonged to its communion, and contended, that to save the jurisdiction of the Church was of great importance in a Bill like this, in which considerable concessions were made to those who dissented from the Church.

The Earl of *Liverpool* stated, that this proviso left the ecclesiastical jurisdiction exactly where it was, and that if any alteration was wished to be made, it ought to be brought forward as a substantive measure.

Lord *Holland* agreed in this opinion, and observed, that the question of the ecclesiastical jurisdiction was one of great importance and very complicated, which required much consideration, and that to use an expression of his noble friend's (lord Stanhope) it would not be a tidy way of going to work, to affect that jurisdiction by a side wind, through the medium of an amendment in the present Bill.

Earl *Stanhope* contended for his amendment, but observed, that there was no way of tidily amending the present Bill.

The Amendment was negatived.

The Bill passed through the Committee, and the Report was ordered to be received to-morrow.

Frame Work Knitters' Bill.] The Earl of *Lauderdale*, in adverting to this Bill, contended that it was founded upon most mischievous principles of legislation. A part of the Bill went to interfere in the bargains made between the master manufacturer and his workmen, upon a principle which could not fail to produce the most mischievous consequences; and he could not help observing, with relation to this point, that the idea of some persons, that a minimum of wages would be beneficial to the workmen employed, was the most mistaken notion that had ever been conceived, for the inevitable consequence of a minimum must be, that in the case of a slackness of work, the masters would discharge their workmen altogether, rather than employ them at the minimum wages. The other part of the Bill was equally mischievous; it went to prohibit an article of manufacture, on the alleged ground of its not being a good article, although that article was in great demand, not only in the interior, but also for exportation. He could not conceive a more monstrous principle of legislation. What would the people of Nottingham say, if an act were to be passed to prohibit the manufacture of worsted and thread stockings, upon the supposition that all persons would wear silk stockings; and yet this was precisely the principle on which the present Bill proceeded: an article of low price was to be prohibited, in order to give place to an article of high price, instead of allowing the only just and proper principle to operate, namely, for the demand to regulate the supply. He trusted that no similar legislative measure would again be attempted to be introduced, and that this Bill would be unanimously rejected. His lordship concluded by moving, that the Bill be read a second time that day three months.

The Earl of *Liverpool* entirely concurred with the noble lord, although he was satisfied of the goodness of the motives which actuated the very respectable individual who introduced this Bill in the other House, and the well-intentioned, though certainly most mistaken views of those at whose instance it was introduced. He, however, thought there could not be a more mischievous principle of legislation than that on which this Bill rested. It had been well said in a foreign country, when it was asked what should be done to make manufactures and commerce prosper? the answer was, *laisser faire;* and it was undoubtedly true, that the less commerce and manufactures were meddled with by legislation the more they were likely to prosper. Were they once to entangle themselves in the principle which this Bill sought to establish, he knew not where they were to stop until the commerce and manufactures of the country were utterly ruined. It was to machinery that we owed our superiority in commerce and manufactures amongst the nations of the world.

Lord *Holland* entirely agreed in the sentiments uttered by the noble earl and his noble friend, and also in doing justice to the excellence of the motives of those by whom this Bill had been introduced and promoted. The principle, however, of the Bill was a most mistaken and mischievous one. Accident had carried him to countries where machinery had once been used, and manufactures prosperously carried on, but which had been wholly destroyed by the meddling policy of legislation, those employed in them reduced to the utmost distress, and the country devastated. These circumstances, he trusted, would be a warning to the legislature of this country, against introducing so dangerous a principle of legislation as that upon which the present Bill was founded.

Viscount *Sidmouth* also entirely concurred in these sentiments. The Bill had been introduced in the other House from the purest motives, but he felt himself compelled, by his public duty, to give his direct negative to the principle which it sought to establish, which he conceived to be most mischievous in its tendency and consequences; and he trusted in God, that no such principle would be again attempted to be introduced in any Bill brought up to that House.

The consideration of the Bill was accordingly deferred for three months.

HOUSE OF LORDS.

Saturday, July 25.

TOLERATION BILL.] On receiving the report of this Bill,

Lord *Erskine* expressed his satisfaction at the progress of those liberal sentiments upon which this measure was founded: a measure with which he was perfectly satisfied. He had on a former occasion presented a great number of Petitions against a Bill relative to this subject, brought in by a noble viscount, but he had no doubt that that noble viscount, in bringing forward the measure to which he alluded, was actuated by the best intentions. He was perfectly satisfied with the present Bill, and should only now observe, that the established Church, so far from being in any danger, would stand as upon a rock, by granting the most liberal toleration to all manner of persons.

The amendments were agreed to.

HOUSE OF LORDS.

Monday, July 27.

PRESERVATION OF THE PUBLIC PEACE BILL.] On the third reading of this Bill,

Lord *Holland* adverted to the evidence upon which it was founded, as detailed in the Report of the Committee of Secrecy, and contended (though he did not mean to impeach its truth) that it was not of a nature to ground upon it such a measure as the present. It chiefly consisted of letters from magistrates, stating rather rumours and reports than what could with any strictness be called evidence, and therefore, he thought, that parole evidence ought to have been examined, particularly as from the comparative vicinity of the disturbed districts, witnesses might have been brought from thence with facility to testify as to the actual state of those districts—a measure which he considered the more necessary, as in point of time they had no evidence of transactions, or of the state of those districts later than the 23d of June. It had been admitted by the noble viscount opposite, that necessity alone could justify a measure like the present—but it was equally true, that that necessity ought to be clearly proved. He (lord Holland) was far from saying, that no case of necessity could exist which could justify the enactment of a measure like the present; but what he meant to contend was, that the necessity ought to be satisfactorily proved to exist, and he would apply to this subject an expression of a noble and learned lord on a memorable occasion, that what necessity creates ought to be limited by that necessity. In the Report of the Secret Committee, he could see no case made out which called for the strong enactments of the present Bill. The disturbances had not assumed any malignant political character—any character which tended to endanger the government—they appeared to have originated in certainly most mistaken notions—but notions, which it was very likely would be corrected by that return of employment which recent measures would probably create. It appeared also from evidence adduced on a trial, at the Special Commission at Lancaster, that of the 40 persons assembled on Dane Moor (a meeting much relied upon for the purpose of establishing the alleged character of these disturbances,) ten of these 40 persons were actually the spies of the magistrates. With this fact therefore known, and with the additional fact which he believed also to be correct, that these spies were the most active in what was called twisting in, there was surely great reason to doubt how far the evidence before them was sufficient to authorize the present Bill. The Report of their lordships' Secret Committee also was contradicted by inference, by the Report of the Secret Committee of the House of Commons, in not mentioning circumstances on which the former mainly relied; and was also contradicted by a Petition he had presented from one of the districts referred to in that Report, which Petition was signed by respectable persons who had been appointed by the magistrates, constables of watch and ward, and who stated that tranquillity was completely restored in that district; and that the provisions of the Watch and Ward Act had in consequence ceased to be enforced. He maintained therefore that the necessity of the case did not justify the principle of this Bill, and he was prepared to shew that the detail of the Bill went even beyond the principle itself. The Bill might be stated to consist of three parts, the first giving authority to magistrates to search for and seize arms concealed, or suspected to be stolen; the 2d giving them a power to take arms from persons whom they suspected to be unable to defend themselves, and the third for the purpose of preventing unlawful assemblies. In this latter object he was disposed to acquiesce, but, at the same time, thought that by executing this purpose, the former provisions of the Bill should be rendered unnecessary, as if arms were stolen in consequence, as stated, of the organization of secret meetings, to destroy these unlawful assemblies would be to destroy the organization which led to the stealing of arms. With respect to the power of searching for arms, he could not think that any ground had been laid for its enactment. There was no proof of the discovery of any concealed depot of arms, no proof of any body of men appearing armed cap-a-pee, or assembling as an army, or any thing like an army. The main principle which distinguished a free constitution from an arbitrary government, was the right of bearing arms for self-defence. This was a right secured to the subjects of this country by the Bill of Rights; it was a right essential to the existence of a free constitution. He did not, however, mean to state that no case could exist in which this right ought not to be infringed; all he contended for was, that the necessity ought to be distinctly proved. This Bill, however, gave to one justice of the peace or magistrate power, upon mere suspicion, to search a man's house for arms, and to take them away. The words which were inserted in the act applying to Ireland, in 1807, namely, "reasonable ground of suspicion," were not in the present Bill, so that a party aggrieved by an unjust seizure of his arms, was deprived of all remedy, with a view to subsequent compensation for the injury, as a magistrate might, from mere whim or caprice, from the impulse of a suspicion, for which he could state no reasonable ground, seize the arms of any individual. He wished most distinctly to be understood as not intending to cast any reflection upon the magistracy, whom he considered, generally, as a most respectable body of men, but he must be allowed to say, that he would rather entrust the power given by this Bill to his majesty's government than to the magistrates. With respect to the noble viscount (Sidmouth) opposite, he was satisfied that there was no man in the country less likely to abuse power entrusted to him than that noble viscount, he believed the same also of his noble friend near him (lord Liverpool,) but he could not forget that there were persons in the cabinet who had either proposed or been instrumental in enacting measures of a similar character to this in a neighbouring country, measures of which they had reaped the bitter fruits. He knew it had been answered to an accusation relative to these measures in Ireland, on the part of those who were instrumental in enacting them, by saying, we know there were great atrocities practised, but we could not help it, we could not prevent it. Why, then, this was the strongest argument against the present Bill, against giving a power which might be exercised from whim or caprice, from party motives, or from prejudice, or from an honest but mistaken zeal, to the great oppression and injury of individuals. He should therefore move to amend the Bill by inserting two magistrates instead of one, and that they should only act upon a reasonable ground of suspicion. He hoped, however, at all events, that noble lords on the other side would agree to an amendment, that the magistrate should go himself to make the search, and not leave it to the delegated power of the constable, who might then go with a mob to the house of an individual to search for arms, from which act the most dangerous consequences might ensue: what, for instance, could have been an act of greater injustice than to have taken away the arms of Mr. Cartwright, who so bravely defended his mill, and yet this might have happened under this Bill, had it been in force? He was aware that at this advanced period of the session, and in the present state of the House, he could do nothing more than state his opinion of this Bill; but feeling as he did upon the subject, he could not reconcile it to his duty to abstain from at least declaring his dissent to the provisions of this Bill, except that part of it for preventing unlawful assemblies, and that clause of which he highly approved, placing in the hands of government the power of withdrawing any district from the operation of the act.

Viscount *Sidmouth* thought, that if the friends of the noble baron had concurred with him in the censure he had bestowed upon this Bill, they would have been present this night to state their dissent, more especially as on a very recent occasion they had attended to vote a large sum of the public money to the late comptroller of the Post-office. He was rather surprised that the noble baron himself had not, during some of the previous stages of the measure, urged those objections which he now appeared to feel so warmly and had urged so vehemently. The noble lord had complained of the Report of the Secret Committee, and had insisted that parole evidence ought to have been adduced. Such was not now the question; all the House had to decide at present was, whether the Bill upon the table was justified by that Report. He (lord Sidmouth) was persuaded that a case was made out to induce parliament not to lose an instant in affording the protection it owed to the peaceable inhabitants of the disturbed districts. Even if the secret committee had not been appointed, his lordship, on his own responsibility, should have felt it his duty to suggest the present measure. He fully concurred in what lord Holland had said, of the right of Englishmen to have arms in their possession; but temporary circumstances might call for the suspension of that right. It had been stated, that no outrage had been committed since the 23d June; the details before ministers were of a different complexion, for evidence had been transmitted to them, that during one night the whole of the arms of a large village had been swept away. Another recent instance had occurred in Cheshire. The house of a man of 80 years old was attacked, his thigh and two ribs were broken, and he was compelled, after a struggle, to yield up his musket, and was now lying in such a state that his life was despaired of. These disgraceful scenes could not have occurred if the magistracy had been invested with the wholesome powers contained in this act. His lordship put it to the House, whether the Bill before it went at all beyond what the Report justified, and the circumstances of the times required?

Lord *Stanhope* reminded the noble viscount that he had carefully avoided attempting any reply to the stronger parts of lord Holland's speech. He disapproved of the present measure on several grounds, but principally because it was inconsistent with the law of the land, which provided that the officers of the hundred should be so sufficiently armed as to quell any riotous proceedings. Although at present the operation of the Bill was confined to particular districts, yet it might be extended by ministers, at their own pleasure, to the whole empire. The cause of these disturbances was the misery of the people—misery created by the conduct of government. Some years ago he (lord Stanhope) had proposed to the House one of the wisest measures that ever was planned by human ingenuity, by which public granaries were to be established, at which corn was to be purchased at a fixed price. Such a provision would have prevented the possibility of a serious scarcity and consequent distress, but ministers had most improvidently rejected it. By their mismanagement the trade of the country had been nearly annihilated, and it was not until they were compelled that they revoked the Orders in Council. Perhaps the voice of the nation had been too late attended to, and if war was actually declared by the United States, none of these Bills would prove effectual: the true way to make a people tranquil was to make them happy.

The Earl of *Darnley* repelled the sarcastic allusion of lord Sidmouth, regarding the absence of noble lords who would have opposed this Bill; after a fatiguing attendance it was not to be expected that they could attend the leisure of ministers, who did not chuse to introduce until the end a Bill that, if required at all, was equally necessary at the begining of the sessions. If the proper means had been taken to subdue on the commencement the disturbances at Nottingham, the riots in other parts of the kingdom would never have existed. His lordship agreed that something was necessary, but he could not consent to give magistrates the power, on mere suspicion, at night to search for arms. It was fit that the House should look to the causes of these discontents, from which the attention of parliament had been studiously withdrawn, it would then be found not that the high price of grain, but that the almost total stagnation of trade, in consequence of the non-repeal of the Orders in Council, was their true origin. What then was the House called upon to do? To clothe with authorities, almost unprecedented, ministers who only a few weeks ago were voted by one branch of the legislature incompetent! It was a fact notorious to every man of common sense, that they were incapable of duly discharging the functions of their offices. The revival of this subject might not be very welcome to an illustrious personage, but his lordship felt it his duty to remind the nation of the hands to whom its fate was intrusted.

Earl *Camden* highly approved of the Bill in all its parts; but would not have deviated from his usual course of giving a silent vote, had not some remarks fallen from a noble lord (Holland), which it was necessary for him to notice. It had been complained that the conduct of the government, of which he (lord Camden) was the head, was unwarrantable; that measures of unjustifiable severity had been resorted to. The usual accusations against the executive authority of that day was, that steps of a firm and decisive nature were not taken sufficiently early; but for whatever blame attached on either account, he (lord Camden) was perfectly ready to be responsible. He could not, however, in candour allow that those who were not concerned should suffer unmerited odium. A noble viscount (Castlereagh), whose name was always coupled with some epithet of cruelty, when the affairs of Ireland, of that day, were referred to, bore no share of the government, but was only an active and zealous magistrate, to whom Ireland was much indebted for his exertions, not only for her tranquillity then, but for her subsequent welfare. The obloquy that had been thrown on that deserving personage was entirely unmerited; and his lordship rejoiced in having this opportunity of bearing testimony to the acknowledged abilities, and to the mild conciliatory disposition of his noble friend.

The Earl of *Liverpool* concurred most sincerely in the eulogium just pronounced upon the conduct of his noble friend (lord Castlereagh); there was no man who had been more injured in the public estimation, and no man who was less capable of resorting to measures of severity, or even of harshness, unless circumstances compelled him to stifle the gentle emotions of his nature. He hoped that the noble viscount would receive the approbation of a British, as he had secured the gratitude of the most respectable portion of the Irish public. With respect to the measure under consideration, his lordship insisted that ministers had called for the aid of parliament as soon as circumstances had allowed, and that the Orders in Council could not be justly deemed the author of the prevailing disturbances: to prove this assertion, he appealed to the evidence taken at the bar, by which it appeared, that although the town of Birmingham was almost the only place that was materially injured by their operation, yet that here perfect tranquillity had prevailed; and that at Huddersfield, which had not suffered at all, the riots had been carried to the greatest extent. His lordship regretted that topics wholly unconnected had been introduced by a noble lord (Darnley), who had warmly inveighed against ministers, reviving the cry of incompetency. It was true, that one House had so voted; but the numbers were comparatively small, and the notice short: that resolution had been subsequently reversed in a full attendance, and after some experience. The same noble lord had expressed his opinion decidedly against the greater part of the Bill; but lord Liverpool trusted that a short trial would prove the futility of the objections. That the noble lord could change his opinion, was known from the censure which he bestowed upon the prosecution of the war in the peninsula, which some time since he termed little short of madness, and now as extravagantly eulogised. Ministers at that time were contending in favour of continued resistance, at a time when our army was retreating, but only retiring to ensure ultimate success. He hoped that this glorious example would be followed in a quarter where he trusted a similar result would be obtained. It was now obvious to the most bigotted, that the confidence reposed in the great general who commanded the British army, was not ill-placed, and the previous conduct of ministers shewed, as their subsequent conduct would shew, that whether they did or did not obtain applause, at least that they deserved it.

The Earl of *Darnley* explained, acknowledging the exalted talents of lord Wellington, and applauding the vigorous prosecution of the war in Spain,

The question that the Bill be read a third time, was then put and carried.

Lord *Holland*, after repeating a few of the remarks he had made upon the conduct of the Irish government under earl Camden, proposed his two first amendments, which were negatived.

Viscount *Sidmouth* explained, that in the expressions he had used, he imputed no blame to noble lords for non attendance; he only meant to state, that if they really objected to this Bill they would have thought it their duty to have attended to resist it.

A division then took place upon lord Holland's third amendment, depriving the magistrates of the right of search during the night. The numbers were, for the amendment 6; against it 17. The Bill was then passed and ordered to the Commons.

HOUSE OF COMMONS.

Tuesday, July 28.

Bristol Election.] Sir F. Burdett presented a Petition from Henry Hunt, esq. setting forth,

"That, at the late election of a citizen to represent the city of Bristol in parliament, in the room of the right hon. Charles Bragge Bathurst, who had vacated his seat by accepting the office of chancellor of the duchy of Lancaster, the petitioner, together with Richard Hart Davis, esq., and William Cobbett, esq., were duly proposed as candidates to represent the said city; and that the military, consisting of the Oxfordshire, the Leitrim, and the West Middlesex militias, were quartered in, and were not removed from, the said city, till the very same day, and not till within four hours of the commencement of the election, nor did they then depart two miles from the said city, agreeably to the statute of the 8th of George the 2nd, ch. 30th, in that case made and provided;

and that seven men, besides taylors and other artizans out of each company, received orders upon the parade, the evening before the election commenced, to remain, and they did remain in the said city during the whole of the election; and that several hundred ruffians, of the most abandoned characters, many of them bailed out of prison, taken from the press gang, and from the collieries in Kingswood, outlaws and felons, were employed, under the denomination of bludgeon-men or pretended constables, who wore blue cockades in their hats, and had their bludgeons (which consisted of heavy prong staves sawn into three parts), painted blue, the colour worn by the said Richard Hart Davis; and that various sums of money were paid by the said Richard Hart Davis, or his agents, to influence the votes of such of these persons so employed as were freemen of Bristol, and to beat and intimidate other freemen from voting for either of the other candidates; and that the most violent assaults, outrages, and murder were committed by the persons so employed, in violation of the public peace, and to the total subversion of the freedom of election; and that a great part of the guildhall, consisting of two large galleries, where the election is held, was nailed up, and blockaded with deal planks, to prevent the freeholders and freemen of the said city from attending the election; and that a much greater portion of the guildhall was allotted to the friends of Richard Hart Davis than to those of the petitioner; and that, while the friends of Richard Hart Davis had free ingress and regress, not only through the open court, but also by private doors, into that part of the hall apportioned for the hustings, the friends of the petitioner had to run the gauntlet through a double rank of these hired bludgeon-men, who kept possession of the only public avenue to the hustings during the whole election; and that, in consequence of these partial and illegal acts, the friends of the petitioner, freemen and freeholders of Bristol, were frequently knocked down, and otherwise ill used and assaulted in their way to and from the hustings, and during the time they remained in the hall, many of whom were actually driven back and deterred from polling at all at this election, notwithstanding the petitioner never failed daily to expostulate with the sheriffs, and to protest against these violations of the law and the freedom of election; and, that, during the election, these bludgeon-men, under the plea of not having received the full wages for which they had hired themselves, did, in the most tumultuous and riotous manner, threaten to pull down, blow up, and destroy the magazine of powder adjoining the said city, and they did actually proceed in a body to effect the same; and that these outrages created the greatest alarm, and were made a pretext to introduce more military, horse and foot, into the said city during the election, contrary to the written law of the land, and the practice of all former elections; and that the guildhall of the said city, the very spot where the election is held, was taken possession of by military force, and a large body of the Middlesex militia quartered therein; and that, in consequence of these illegal proceedings, great disturbances were created, proclamations were issued, and posted upon the walls by order of the mayor, recommending to all persons to keep within their houses to avoid the danger apprehended; and that thereby many electors, who resided at a distance, were deterred from coming into the said city, and many others, who resided in the said city, were deterred from coming to the poll to give their votes; and that the Durham Act was not read previously to the commencement of the election, as the law directs; and that the oaths appointed by law to be taken by electors, previously to voting, were illegally administered, and by persons not duly sworn to administer the same, notwithstanding the demand of the petitioner that they should be legally administered; and that various acts of bribery were committed by the said Richard Hart Davis and his agents; and that the said Richard Hart Davis, by himself and his agents, was guilty of many corrupt and illegal practices, and the most violent aggressions, to procure himself to be returned a member to represent the said city; and that the poll was closed by the returning officers one day sooner than by law appointed, though the same was publicly protested against by the petitioner; and praying, that he may be permitted to prove the above at the bar, or before a committee of the House, thereby to obtain such relief as to the justice and wisdom of the House shall seem meet."

The hon. baronet also presented a Petition from Thomas Docksey and Thomas Langwell, freemen and electors of the city of Bristol, setting forth, "That at the late election of a citizen to represent the said city in parliament, in the room of the right hon. Charles Bragge Bathurst, who had vacated his seat by accepting a place, Henry Hunt, esq., Richard Hart Davis, esq., and William Cobbet, esq., were duly proposed as candidates to represent the said city; and that the said Richard Hart Davis, by himself and his agents, was guilty of many corrupt and illegal practices to procure himself to be returned a member to represent the said city; and that various acts of bribery were committed by the said Richard Hart Davis and his agents; and that several hundred men were employed under the denomination of constables or bludgeon men, to whom various sums of money were paid by the said Richard Hart Davis or his agents, to influence the votes of such of the persons so employed as were freemen of Bristol, and to intimidate others from voting for either of the other candidates; and that the most violent outrages were committed by the persons so employed, in violation of the public peace, and to subvert the freedom of election; and that these outrages were made a pretext to introduce the military, horse and foot, into the said city, contrary to the law of the land, and the practice of all former elections; and that the military stationed in the said city were not ordered to depart twenty-four hours previous to the election, as the law directs, nor did they depart two miles from the said city, agreeably to the statute in that case made and provided; and that the guildhall of the said city was taken possession of by military force, and soldiers quartered in the same; and that, in consequence of these illegal proceedings, great disturbances were created, and murder was committed, and many electors were deterred from giving their votes; and that the oaths appointed by law to be taken by electors previously to voting were illegally administered, and by persons not duly sworn to administer the same; and that paupers from the work-houses, custom-house officers, and various other persons not qualified to vote, were permitted to poll for the said Richard Hart Davis; and that the Durham Act was not read previously to the commencement of the said election, as the law directs; and that the poll was closed by the returning officer one day sooner than by law appointed, though the same was protested against by one of the candidates; and that the said Richard Hart Davis was guilty of many other acts in violation of law and subversive of the freedom of election; and praying such relief as to the justice and wisdom of the House shall appear meet."

Ordered to be taken into consideration on the 18th of August.

State of the Nation.] Sir *F. Burdett*, in consequence of his notice upon this subject, rose, and observed that since public grievances required public remedies, and since those grievances never prevailed to a greater extent than at the present moment, he felt it his duty, even at this late period of the session, to state his opinion, and to endeavour to persuade the Prince Regent to apply the only remedy that could afford permanent and effectual relief. Although the probability of success in the conflict on the peninsula might be greater than in the commencement of the campaign, he could not help thinking that the country was surrounded by more imminent dangers, foreign and domestic, than had threatened it at any former period. It would be utterly impossible for him to do more than to give a slight and imperfect sketch of the actual state of our affairs, which menaced extensive disaffection and the most aggravated calamities by which a nation could be afflicted. The dangers were of various kinds; but among the most alarming were the inroads that had of late years been made upon the constitution, and which had actually so incorporated themselves with it, that to a superficial observer the one appeared even to form a part of the other. The invasions of the common law had been frequent, and the most dangerous symptom was the hostile manner in which the judges construed that law to the detriment of the subject. The danger was peculiarly great where the liberty of the press was concerned; and it was increased by that usurpation of power by the Attorney General, by Ex Officio Informations, whereby an innocent man was placed in a situation of peril, unauthorized by the constitution. In matters of lesser importance, this assumption had been tolerated on the maxim 'De minimis 'non curat lex;' but it had been raised to a height even in the time of sir W. Blackstone, which alarmed that learned judge, who maintained that Ex Officio informations were not legal, excepting in cases where immediate interposition was necessary, to prevent further danger by delay. It had now been carried to an extent which disgusted every man of common understanding. Not contented with the authority already conferred, the legislature had recently passed an act, allowing the Attorney General the additional power of holding to bail. In prosecutions by the crown it now appeared that the Attorney General was entirely master of the court, and for the first time in any proceeding for an offence less than high treason, in the case of the unfortunate Bellingham, the crown had challenged no less than eight out of twelve jurors; by law the right of the prisoner to challenge was restricted, but the right of the Attorney-General was unlimited; this abuse was the corruption of justice at its very source, and, if not restrained, would in time destroy what had been of late years vainly called the palladium of British liberty. The intervention of the Master of the Crown-office further aggravated the evil.

The House and the country had been lately threatened with some violent exertion to support the labouring finances. Such a measure was, after the experience of former extortions and exactions, indeed formidable. The hon. baronet would recommend, that the exertions made should not be to raise but to save money; exertions of economy, and not of taxation. He recollected three former great exertions of a similar kind to that lately alluded to; the first was the imposition of the Income tax; the second the increase of it to 10 per cent, and the third the levy of the war taxes. What fresh attempts were to be made by the Chancellor of the Exchequer it was not easy to imagine. An examination of the Report of the Committee of Finance for 1810, would satisfy every unprejudiced mind that the most vigorous exertions of economy were necessary, and would be effectual. He did not indulge the vain hope of convincing the holders of sinecures that they ought to be abolished, but he believed that he could astonish some of them when he told them that for Scotland and Ireland only they amounted to 392,361*l.* The Report alluded to likewise disclosed many other important particulars. Under the most comprehensive title of "Compensation for loss of office, on account of the Union, or any other causes before or since that event" was embraced no less a sum than 100,083*l.* including a charge that seemed most curiously forced in, of 2,000*l.* to the prince of Mecklenberg Strelitz. In England, the charges for sinecures on the Post-office, Excise, Consolidated Fund, &c. was no less than 459,510*l.* and all the salaries paid for the charge of no duties, ascended to the enormous sum of 952,684*l.* The pensions given to the American, Dutch, and French Loyalists, to the Prince Regent of Portugal, to the Prince of Orange, to the emperor of Austria, (the ally of our deadly enemy,) and to other foreigners, exclusive of their great military emoluments, formed a charge of 2,143,590*l.* not including the sum improperly granted to the duke of York in 1801, none of which had been returned, and for which no interest was paid. The expence of foreign corps was 968,000*l.* and the loans to Portugal, and to the East India Company were four millions. If the desirable object of an exchange of prisoners were effected, another million might be saved. The sum of 176,000*l.* annually granted for secret services, was to be watched with peculiar jealousy; how it was applied, none but ministers knew; perhaps to reward such agents as captain Henry, or to pay informers to entrap men into offences. No less than 100,000*l.* was annually allowed for the poor clergy of the Church of England: why could not the poor be supported by the rich clergy? In the hon. baronet's opinion, the starving manufacturers were much more deserving objects of charity. Besides these various charges, large salaries were paid to the commissioners of public accounts, who had not saved the public as much money as would pay their expences for a single twelvemonth. The next head included sums which might be much more fitly included under the title of jobs; among these were 80,000*l.* to the Board of Agriculture, 68,000*l.* for bridges and roads in Scotland (exceeding the entire amount of the land-tax of that country); besides other large charges for improvements near Palace-yard, that ought to have been borne by the dean and chapter of Westminster, and for the erection of a new mint, at a time when coin was out of circulation. The erection of barracks, which would have cost 500,000*l.* had been prudently resigned. The whole of these expences rose to the extravagant sum of nine millions, all, or the greater part of which, might, with due management, be saved to the nation, already sinking under burdens, which by new exertions, were to be augmented With respect to the million of money paid for the Civil List, the hon. baronet thought that the crown had made an improvident bargain, and as the lands belonging to the sovereign would let for much more, although only 50 or 60,000*l.* was produced from them, if the contract were abrogated, another million might be saved, and the king benefited.

The greatest grievance of which the country had to complain was, the assumption by the House of Commons of the whole of the powers of the state, by which the crown, instead of being supported, was overawed by the people. He (sir F. Burdett) had been constantly held up as the enemy to the constituted authorities—to the authorities legally constituted he was a sincere friend, and he would at all times support the just power and dignity of the throne. The House of Commons, a boroughmonger faction, erected itself into an odious oligarchy, and usurped all the powers of the three branches of the constitution.—In this cause most of our evils originated. The annual sum of nearly 23 millions was paid as the army expenditure, but on calculating the pay of the whole military force at the highest rate, it did not exceed six millions. To what purpose then was the remainder applied? It was divided among the officers, and was swallowed by jobs in the barrack and other departments. The same remarks applied to the navy, and lord St. Vincent had declared, that the marine affairs of the nation might be conducted at one-third of their present expence. What then, it would be inquired, was the remedy? But he was sure that those who put the question, could themselves answer it without prompting—Parliamentary Reform. On the many occasions when this question had been discussed, some gentlemen had professed themselves friendly to reform, but they did not see the benefit that would result from it. If, as it could be proved, the present corrupt state of the representation was the real cause of all the corruption in the various branches of government, the benefit that would result from reform, must be obvious to all. The ministers themselves, although in the present state of things, they were supported by corruption, were compelled to be responsible for many acts which originated in the defects of the House of Commons. Whether war or peace would be the issue of our differences with America was a question compared with parliamentary reform, of little consequence, and without it, the Regent might, with any ministers, in vain attempt to satisfy his subjects.

The hon. baronet wished to state his opinion with respect to the late overtures by France for peace, because on a former night he had failed in catching the eye of the Speaker. The refusal was made by this government on the ground of a subsisting treaty between George the third and Ferdinand the seventh. It was an absurdity to imagine that such a contract could, under the present circumstances, exist. Ferdinand was not in a situation to make or execute it; he was not king of Spain, in the usual acceptation of the words, and had resigned his hereditary right of succession to the crown. The ground of refusal turned out to be a mere flimsy pretence; or supposing such a treaty did or could exist, one administration was not bound to fulfil the engagements of another; each was responsible for its own acts; and it was, however, of little importance whether Ferdinand or Joseph were the king of Spain. If, however, situated as this nation was previous to the breaking out of the new war, which Russia had been rash enough to commence, the offer made by France had been repeated to any impartial man, the hon. baronet was convinced that he would have thought that we could not have done better than close with the proposal, as it would be a fortunate opportunity of getting out of our difficulties and embarrassments. The truth was, not that we were fighting in the peninsula for Ferdinand, but for ourselves, and the real question was, whether we were to lay claim to the crown of Spain? The most sanguine hopes were indulged as to the issue of the war just commenced in the north. For his own part, the hon. baronet could not concur in the belief held out in newspapers, that Buonaparté, from a want of provisions, would be compelled to withdraw. Knowing himself nothing of military tactics, the hon. baronet could not help believing that the emperor of the French, after all his experience, would be as well aware of the dangers he was exposed to as the writers of newspapers, or even as his Majesty's ministers. Seeing who was at the head of foreign affairs, and that the two noble lords opposite (Castlereagh and Palmerston) were to have the planning of our expeditions, he entertained as little hope of their success against Buonaparté as he should of the success of a child engaged at chess with the celebrated Phillidore.

It was with the hope, continued the

hon. baronet, of at least awakening in the mind of his royal highness the Prince Regent a sense of the necessity of something being substantially done; something that might unite the minds and hearts of the people, and that might obtain the redress of grievances which now bore them to the earth, that he had ventured to trouble the House with his sentiments. Measures of economy ought to be adopted. The nation would bear the taxes, if necessary, without repining, when they saw that they were as prudently applied to their legitimate purposes, as they were lavishly granted by that House. He could not expect that his sentiments would meet with the concurrence of many who heard him. He knew he was represented as one who was disaffected to the constituted authorities, as they were called: he denied that he was so however: he was ready to support the crown in all its constitutional powers; but he owned he was disaffected to the vile oligarchy that now governed both the crown and the country. To them he owed no allegiance; but on the contrary, would rather swear eternal enmity to them on the altar of his country. He had been accused, also, of being the protector of those who were the disturbers of the peace. He was no such person; and neither was he the protector of those who violated the constitution, by calling in the military to kill and destroy the people. He would contend there was no necessity for such proceedings. The constitution, if duly administered, was not so feeble as to require them; it had no such inherent debility; it was not such a gaudy, unsubstantial thing as that, to be hung up merely on a fine day, as it were, to be gazed upon with curiosity, but not to be touched. It had vigour enough in itself, if that vigour was properly employed; and his disaffection was to the men who did not properly employ it. While such measures were pursued, he cared not who were ministers; he cared not what oligarchs were in, or what oligarchs were out, the country was equally a loser.

There was another subject to which he wished to call the attention of the House, and which had been already touched upon by the member for Bedford on a former evening. It had pleased Providence within the last few years to permit events which had, in effect, suspended the constitution: and that House had most unconstitutionally taken upon itself powers to which it was not competent. As, however, he did not wish to see similar proceedings, and as it was possible, every one would allow, that the Prince Regent might be taken from us while his father was yet living, he could wish that some legislative measure should be adopted in anticipation of such a possibility, to prevent the recurrence of the same exercise of unconstitutional power by that House, as had already taken place. The question was pregnant with great difficulties, and difficulties which that House ought to provide against. When, in the early part of the present reign, his Majesty was afflicted with that malady which they all now had to deplore, an Act of Regency was passed, securing, in the person of the Prince of Wales, the exercise of the royal functions, and he could see no reason why a similar precaution should not now be taken, especially when it was considered that the princess Charlotte of Wales had now arrived at those years when a Regency might be formed in her person, and ought to be so formed. It was a matter of wonder and surprise to him, and he could not account for it, but by supposing that the House meant to keep the whole government in its hands. The hon. baronet concuded by moving the following humble Address to the Prince Regent:—

"We, his Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in parliament assembled, return our humble thanks to your Royal Highness, for having graciously attended to the wishes of this House, expressed in its vote, intimating the necessity there was of forming a strong and efficient administration. We, however, deeply lament, that any privy counsellors of this realm could accept of commissions to that end, without explicitly laying before your Royal Highness the necessary means of accomplishing the object in view, which could only have been effected by restoring the people to their rights, and so placing your Royal Highness's government on the virtues and affections of the nation. We lament, that your Royal Highness's beneficent intentions and ready endeavours, produced no effect advantageous to the country, and only gave occasion to intrigues and cabals not less odious in their too obvious motive, than injurious to the character of the government, it being made manifest to all men, that the persons who possess, and those who aspire to the offices of the state, no longer regard themselves as chosen by the sovereign, but as the nominees of the borough oligarchy, who equally invade the province of the crown and the rights of the people; interfering with one in the choice of its ministers, depriving the other of the election of its representatives.

"If it were, at this day, necessary to point out the mischievous and disgraceful effects of this unconstitutional and disloyal invasion of the rights of both king and people; if, after all the votes by which the worst sort of tyranny and corruption have been sanctioned, by which ministers have been screened against a charge of trafficing in seats in this House, and an attorney general against a charge of oppression and partiality: if, after all that we have witnessed in the course of the last twenty years, of outrage upon the rights and liberties of Englishmen, there still wanted proof of the pernicious and degrading influence of the borough faction, that proof we must now regard as complete, when we recollect, that at the end of several weeks, during which the business in parliament was suspended for the professed purpose of affording time to your Royal Highness to form a new ministry; that same House of Commons who had by one vote declared the ministers to be incompetent, recognized by another vote the competence of those same ministers, leaving scarcely a possible doubt as to the means by which the conversion had been effected.

"While we are convinced that posterity will never believe that a king and people of England were thus made the sport and prey of a borough faction, sustained solely by a fraudulent pretence of being the representatives of the people, we, of the present day, feel too sorely the reality of the fact, which has been manifested in a long train of useless wars and expeditions, which, while attended with a dreadful waste of treasure and of life, have almost uniformly failed in their professed object, and have only answered the purpose of enriching the borough faction and their dependants, as a reward for political corruption.

"In the rash rejection of the late overture to treat for peace, made on the part of the emperor of the French, on the flimsy pretext of a treaty of alliance between his Majesty and Ferdinand the seventh, where in truth no such treaty is in existence, we cannot but deeply lament not only the loss of an opportunity to treat for peace, more favourable than in all probability will again occur, but also to see in that rejection the determination of the oligarchy to engage the nation in interminable war; and this, too, at a moment when not only by rejection of all offers, Russia was exposed to danger, but this country itself was on the eve of a war with America, which not only threatens to leave your manufacturers out of employment, but also to deprive this country of its only resource of relief, in case of an unfavourable harvest, and at a time when the augmentation of taxes in the space of the last twenty years only, has swelled a burthen of fifteen to a burthen of seventy millions a year; and during the same period has so added to the public debt and the paper money, as to leave not the smallest hope of redeeming the one, or of restoring the credit of the other. Sinecure offices, pensions and grants of public money, have been given to an enormous amount, without the sanction of any public service—money voted out of the pockets of the people by those who did not represent them. The galling effects of the system are seen in the harshness, the insolence, the partiality and tyranny of tax commissioners, commissioners of excise, and their inferior agents, whose almost diurnal visitations place the purse of every man in a constant state of requisition, unhinging property, dissipating the resources, and exhausting the patience of a loyal and suffering nation.

"As a melancholy accompaniment of these evils, we behold a rapid increase of paupers, of misery, and of crimes; and in addition, we have the pain of observing a systematic practice in the Court of King's-bench, of construing law in a manner hostile to the freedom of the subject; an evident decline in the independence of the bar, and an unconstitutional use of that *succedaneum* for the hateful court of Star-chamber, Ex-Officio Informations with special juries; and, finally, as the means of securing non-resistance from an oppressed people.

"We are shocked at the establishment of inland fortresses throughout the land, under the name of barracks, and in the introduction and progressive increase of foreign mercenary troops, by the employment of foreigners in offices of trust, civil and military, in defiance of the Act of Settlement, the rights of Englishmen, and the common law of the land.

"In all these things, and in many others which we forbear to name, we see manifested the influence of that rapacious and insolent oligarchy; who, while they scruple not to enrich themselves with the spoils of the people, invariably speak of them with contempt and opprobrium.

"We beg leave, therefore, humbly to represent to your Royal Highness our firm conviction, that it is only by promoting a constitutional Reform in the Commons House of Parliament, and thereby obtaining the cordial support of the nation against those who are now usurping the prerogatives of the crown, by means of the power which they have purloined from the people, that your Royal Highness will be able to form a strong and efficient government, equal to the perilous state of affairs, or to adopt and put in force such measures as can effectually secure internal tranquillity, national independence, and finally obtain a safe and permanent peace.

"Amongst the many misfortunes, both from within and without, which the nation has experienced, we account it not amongst the least, that after the odious borough oligarchy had for three months actually suspended the kingly part of the constitution, and then imposed on your Royal Highness restrictions on the royal prerogatives, as insulting as unconstitutional and unnecessary, they took care to leave the nation exposed to similar danger, to the same unsettled hazardous condition, in the event of the demise of your Royal Highness (whom God long preserve,) that so in such event they might have a pretence for renewing their factious usurpations, for fabricating new restrictions, and keeping the crown in a state of pupilage, which ought to be independent. This we esteem peculiarly offensive, when in the person of the Princess Charlotte, your Royal Highness's daughter and only child, being now of legal age, a Regency might, according to former precedent, with evident propriety, be established, so as to ensure the nation against the uncertainties and dangers to which it is otherwise exposed.

"We beg leave humbly to represent to your Royal Highness, that those only deceive you who pretend that this country can be restored to safety and content, except by redressing the grievances of the people, by strictly applying the public money to public services alone, by extending the benefits of the constitution to persons of all religious persuasions, without distinction; above all by restoring to the people their undoubted rights, 'claimed, demanded, and insisted on,' but unfortunately, not established at the Revolution, amongst which the chief and paramount is, the free choice of their representatives in the Commons House of Parliament—on the restoration of which, we are firmly persuaded, mainly depends the stability of the throne, the independence of the country, and the liberty of the people."

The motion not being seconded, was lost of course.

HOUSE OF COMMONS.

Wednesday, July 29.

West Indies.] Mr. *Jackson*, after an eulogy on the character of the West India planters, who he said in accomplishments and humanity were equal to the most polished society of England; and after several other remarks delivered in too low a tone to be heard distinctly in the gallery, moved that an Address be presented to the Prince Regent for a copy of the speech of governor Eliott, on his arrival at Antigua; and for a copy of his letter to lord Liverpool, in which were contained some charges against the planters of the Leeward islands. He stated it to be his intention, unless the matter were taken up by government, to bring forward some motion in justification of the planters.

Lord *Castlereagh* observed, that the observations of governor Eliott were made to justify his own conduct, and were not intended to reflect disgrace on the body of the West India planters.

Mr. *Browne* said, he was not aware of the motion of his hon. friend, until he saw his notice in the papers of this morning, and though he admitted that at this late period of the session no useful object could be attained by the discussion, yet he saw nothing in the objections of the noble lord to prevent the papers being laid upon the table, as the foundation of any motion which his hon. friend might make upon them in the next session. Connected as he was with the island of Antigua by ties of public duty, and private friendship dear to his heart, it was matter of the greatest satisfaction to him, to hear the injurious representations of Mr. Eliott repelled by the high and disinterested authority of his hon. friend. He had himself spent ten of the happiest years of his life in the island of Antigua, and he should do a violence to his own feelings if he were to hesitate to express his cordial concurrence in the just description which had been given by his hon. friend of the state of society, and of the high honour and integrity of the public administration of that island; there were indeed in that island, as his hon. friend had truly stated, men who would adorn and distinguish any society on earth, men of as enlightened minds, and of as honourable feelings as were to be found in any part of his Majesty's dominions; and the general character of its public administration needed not the aid of his feeble testimony. It had been the subject of general commendation of all persons who had visited the colonies in any public authority, and he might with confidence look to the concurring testimony of the opposite bench in this respect. But while he endeavoured to rescue the island of Antigua, from the application of Mr. Eliott's remarks, let it not be thought, that he admitted the justice or the fairness of their application to the other islands of his government; on the contrary, as far as his own knowledge went, he firmly believed them to be unfounded and unjust in the general sense in which Mr. Eliott had used them; but there were circumstances connected with this case not to be passed over, which destroyed the credit of Mr. Eliott's opinions. At the very time that he took upon himself to pronounce so general a condemnation of whole communities, he had not in fact visited more than one of the islands to which his observations were thought to apply. He had landed in the island of Antigua, the seat of his government, where he had remained up to the date of his public letter, with the exception of a short visit to the island of Montserrat, and yet, without the opportunity of any personal observation, without the means of acquiring that intimate accurate personal knowledge upon which alone his opinions ought to be founded, he takes upon himself to pronounce a general sweeping charge of moral and intellectual incompetency for the common duties of civilized life against the whole communities of the different islands of his government. But the error of Mr. Eliott's conduct does not rest here. He appears to have moulded his opinions of the general state of his government, according to his own notion of the temper and feelings of those to whom those opinions were expressed. At the very period of his public letter in which he boldly ventures to pronounce the state of society as unfit for the duties of legislators or jurors, at that very period of time he declares in other letters, as his hon. friend had informed the House, that he had met with many men of very superior talents and endowments, men of great suavity of manners, with whom he could with pleasure pass the residue of his life; these were circumstances which altogether discredited the judgment of Mr. Eliott, and went a great way to prove his utter disqualification for the high situation which he held. It betrayed, to say the least of it, a gross inconsistency, ill-suited to the gravity and importance of the occasion on which he was writing, and forcibly pointed out to the noble lord the necessity of his recall. It was impossible that under the general feeling towards Mr. Eliott, that the public interests, under his administration, could be maintained in a spirit of union and affection, or the public authority supported in a spirit of dignity and respect; even if his opinions had rested upon something of a foundation, after they had beeen announced to the world, (whether discreetly or not he would not stop to enquire,) it was impossible to suppose that Mr. Eliott could remain in the government, with any satisfaction to himself, or with any advantage to the public interests; but discredited as they were by Mr. Eliott himself, unfounded as they were in the judgment of others, it would be little short of madness to continue him in an authority which he could not exercise in the hearts and in the affections of the people. He gave therefore his support to the motion, in an anxious hope that a more ample discussion should be had upon the subject.

Mr. *Stephen* said, that the remarks of governor Eliott were called for in vindication of his own conduct. He allowed, that among the planters there were men of exemplary humanity,—the more to be admired, as in a state where negro-slavery was allowed there must be a perpetual tendency to harden and corrupt the mind; but this humanity, he was sorry to say, especially among the lower orders, was not extended to the black population. What had been the case at St. Kitts, and at Tortola? At the first place a man, who had been guilty of the most cruel enormities towards his slaves, had been acquitted; and a printer had been indicted, convicted, and imprisoned, for publishing merely an ungarbled statement of the trial. At Tortola, when Hodges had been found guilty of murder —one murder out of fifty of the most savage description—what had been the difficulty? Not to prevent, as might be expected, a premature exection by an indignant populace, but to enforce the execution. The governor had been forced to leave the seat of government, to proclaim martial law in Tortola, and to reside there 10 days to prevent disturbance,—and this was necessary by reason of the prejudices of the white population against those unfortunate beings who were of a different colour from themselves. He thought, therefore, that governor Eliott was justified in the statement which he had made.

Mr. *Browne* said, he was no apologist for the crimes either of Mr. Hodge or Mr. Huggins, and that he gave full credit to Mr. Eliott for his firmness in carrying the sentence of Mr. Hodge into execution, but he was desirous of setting the hon. gentleman right with respect to the general feeling of the whites upon that subject. It was unfairly insinuated by Mr. Eliott that a resistance to his execution was to be expected; on the contrary, he had been informed, and he believed it to be true, that the whole population was clamorous for the execution. He had had that information from persons who were on the spot at the time, and the measure of calling out the militia was decisive upon the point. The militia is composed of the whole white population, as the hon. gentleman very well knew: and if a resistance was to be expected from that class, Mr. E. could not have been so unwise as to trust the militia with arms to do that which they were resisting without arms. It was true, and it was to be lamented, that the jury, or a majority of the jury, did recommend Hodge to mercy; but the sense of the whole white population was not to be conclusively deduced from that circumstance. And he firmly believed from every information he had had, and from the dependance which Mr. Eliott himself placed on the militia, that the public voice demanded, rather than resisted the execution.

Mr. *Jackson* also bore testimony, from his personal knowledge of the island of Tortola, that the majority of the white population were decidedly for the execution of that scoundrel (Mr. Hodge). As to Mr. Huggins, he believed that the jury could not legally convict him; but his conduct was so reprobated that there was hardly a whiie inhabitant of respectability in any of the islands who would associate with him.

Mr. *Stephen*, in explanation, said, that he had by no means meant to confine his charge of barbarous antipathy to the blacks, to the lower orders of the whites. Mr. Hughes and Mr. Huggins, for example, belonged to the richer classes.

The *Chancellor of the Exchequer* regretted much that ever this paper had been made public; and he hoped the inconvenience of the publicity would be a caution to members who were about moving for the production of similar papers, as when they were once ordered to be laid on the table of the House, it was impossible to avoid publicity. He then suggested to the hon. mover, whether it would not be as well to postpone this motion till next session.

The motion was then withdrawn.

Army Agency.] Mr. *Cochrane Johnstone* rose to move for the production of certain papers relative to Army Agents. He expressed his regret that he had not the good fortune to be a member of the House in an early part of the session, otherwise he should have considered it his bounden duty to have followed up those motions which he made in the year 1807 on this subject, and to have asked leave to bring in a Bill for superseding the present mode of conducting the army business through private agents, by the appointment of a general Board of Agency under the authority of the legislature. The present session being so near its termination, it was impossible to bring in a Bill of such magnitude and importance now; all that could be done, therefore, was to move for certain papers and documents, that members during the recess might be enabled to form a correct judgment on the measure, which he should consider it his duty to bring under their view early in the next session. The object of the Bill, which he should then have the honour of submitting to their consideration, would be to abolish the present mode of agency, and to substitute in its place a general board of agency; the members of which to be selected from the most respectable of the present agents. By the adoption of this plan, an immense annual saving would accrue to the public, amply sufficient to increase the pay of the subalterns in the army, independent of the important consideration that it would secure the faithful application of the public monies, which are now exposed to great risk, by suffering immense sums to be issued monthly in advance to army agents, without adequate securities. The House might be told that the colonels of regiments were responsible for the army agents; but it should be recollected, that many of those officers were soldiers of fortune, however brave and deserving, and it was not fit that they should be responsible. He was sure that it would be impossible to find sufficient security in several cases. The house of Messrs. Greenwood, who had only 23 regiments when the duke of York was appointed Commander in Chief, are now agents for 176 battalions of the line, out of 284 which constitute the British establishment; and they also are agents for 15 regiments of militia, for the whole of the artillery, and different branches under the Board of Ordnance. Such an immense accumulation of public business, in the hands of one private house, ought always to be viewed with extreme caution by the government of this country; for in what a situation would the whole army and all the public officers of his Majesty's government be placed, were such a house to stop payment! The hon. gentleman did not mean to call in question the honour, integrity, and credit of Messrs. Greenwood's house: he knew that gentleman well, and that he had done many good and generous acts; but as a member of parliament he was of opinion, that such a vast accumulation of public business should not be entrusted to one individual, however high his credit and character may be. We had lately seen houses of the greatest respectability, even as high in credit as Messrs. Greenwoods, stop payment; and therefore it was an imperious duty on that House, even before they separated, to make the necessary arrangements for the security of the public money. Let gentlemen recollect, that independent of Messrs. Greenwood's being agents for almost the whole army, they are also private bankers, and that the profits of bankers arise, either from discounting bills, or gambling in the funds. If he was correctly informed, Mr. Greenwood receives at least 80,000*l.* a year from government for his trouble, independent of the benefit which must result to him, from the immense issues of public money for the pay of the army, which he receives always one month in advance. Why such an expensive and hazardous system should be persisted in after the very able opinions now on the table of the House, recommending the appointment of a board, under the authority of the legislature, he would not now stop to enquire; he was not one of those who supposed it was continued, because Mr. Greenwood is agent for 45 members of parliament—No, he attributed it to an influence in another quarter; but he trusted the House would exert that energy and spirit, which was their bounden duty, in putting an end to a system, calculated only to enrich individuals at the expence of the public, when the subject shall be brought before them early next session. Upon the proposed plan of abolishing army agents, there might be a diversity of opinions; but surely, in regard to placing the public monies in a state of security, there could be none. Agreeable to the present regulations, the army agents receive the pay of the army one month in advance; consequently the advances to such a house as Messrs. Greenwoods, who have monopolized almost the whole army, must be enormous and incredible. The hon. gentleman said, he had perused with particular satisfaction a Bill lately passed through the House, for regulating the office of agent general for the volunteers and local militia. In that Bill had been inserted a very proper clause, enacting, that all Bills drawn by the said agent for public services, should be made payable at the Bank of England. Why had not a similar Bill been brought in to place the public monies, now entrusted to army agents, in the same state of security? He knew of no good reason against such a measure, and he trusted, that before the House separated, his Majesty's ministers would attend to it. The issues for the volunteers and local militia did not exceed 1,200,000*l.* a year, while those to army agents amount to more than 12,000,000*l.* several millions of which must pass through the house of Messrs. Greenwoods alone, without any adequate security. He therefore trusted, government would adopt the same regulations for the security of public monies entrusted to army agents, that had been so wisely applied to the office of agent general for volunteers and local militia, the establishment of which office alone saved 30,000*l.* a year to the government. He was confident, two most important benefits would result from such an arrangement:—1st, Security of the public monies; and 2dly, That regimental accounts would be much sooner audited, for there could be no doubt that what retarded their adjustment, arose principally from the large sums of money remaining in the agents' hands, who threw every obstacle in the way of settling the accounts, in order that they might longer retain the balances in their hands. The country is now paying 40,000*l.* a year for auditing public accounts—no measure would tend to reduce that expence more than adopting the wise regulation of placing all public monies in the Bank of England, and making all public bills payable there. The hon. gentleman concluded by moving for those papers he conceived necessary for the House to form a correct jůdgment on the propriety of the motion he should have the honour of submitting to their consideration next session: namely, for leave to bring in a Bill to abolish the present mode of conducting army business by private agents: and to appoint in their stead a Board of Agency under the sanction of the legislature, the members of which to be selected from the most respectable of the present army agents. The hon. gentleman then moved the following Resolutions:—"1st, That there be laid before this House an Account of the annual sums of money paid or due to each and every of the army agents in Great Britain and Ireland, by way of compensation for their trouble in the affairs of the different regiments, or any business entrusted to their care, comprehending every regiment or corps of whatever description paid by Great Britain or Ireland, specifying the names of those agents, and the amount paid or due to each, from the 25th day of December, 1810, to the 24th day of December, 1811; and that the said return be made out in numerical order, agreeable to the lists of the army, militia, fencibles, &c. &c. published by authority.—2d, That there be laid before this House an Account of the annual sums of money paid or due to each and every of the army agents, by way of compensation for their trouble in the management of the royal artillery, royal engineers, brigade of royal artillery drivers, waggon train, or any other corps or body of men paid by the Board of Ordnance, specifying the names of those agents, and the amount paid or due to each, from the 25th day of December, 1810, to the 24th day of December, 1811.—3d, That there be laid before this House a Statement of the sums of money paid annually to each and every of the army agents, for pay, staff, contingencies, &c. for the regiments of the line, militia, or otherwise, under their agency, from the 25th day of December, 1810, to the 24th day of December, 1811; for what periods these payments are made in advance, and the names of those agents who receive the same, with the amount of the securities, (if any) given by them for the faithful discharge of the trust reposed in them.—4th, That there be laid before this House a statement of the sums of money paid annually by the Board of Ordnance to each and every of the army agents, for the pay, staff, contingencies, &c. for the royal artillery, royal engineers, or any other corps or body of men in that department, from the 25th day of December, 1810, to the 24th day of December, 1811; for what periods these payments are made in advance, and the names of those agents who receive the same, with the amount of the securities (if any) given by them for the faithful discharge of the trust reposed in them.—5th, That there be laid before this House a statement of the balances, to the latest period, for or against the army agents, as far as they have been able to be ascertained by the books of the Pay-office, and the documents in the War office; and from what period these balances have been due.—6th, That there be laid before this House a state of the balances, to the latest periods, for or against any of the agents in the department of the Board of Ordnance, as far as they have been able to be ascertained; and from what period these balances have been due.—7th, That there be laid before this House a Statement of the annual expence attending the department of the paymaster of the royal marines, from the 25th day of December, 1810, to the 24th day of December, 1811, with a return of the number of marines on the establishment for that period."

Mr. *Long* did not rise to oppose the Resolutions generally, but he thought, when the balances due by the agents to the public were called for, in point of fairness, those due by the public to the agents should be forthcoming — (Mr. Johnstone said across the table, that the Resolutions were so framed as to embrace both.) In fact, large balances had been due to them, in consequence of the perplexity of the regimental accounts, which retarded their examination; but the present Secretary at War had turned his attention to the subject, and had established a system which would enable them to make a progress in those accounts, the difficulty of examining which should not be referred to the agents, but to the regimental paymasters. A large sum of money he knew was owing by the public to Mr. Greenwood, and the Secretary at War, in consequence, found it necessary to order a payment to be made to him; and yet the impression conveyed by the speech of the hon. gentleman was, that the public money was paid at risk, and that sums were due by Mr. Greenwood to the public. He wished that the motion for the account of the balances might be deferred, until the accounts were in a more forward state. He was sure the hon. gentleman would find it very difficult to carry the plan of a general agency into effect, which would entirely alter the present mode of payment pursued in the army. As to any influence to procure the agency of regiments, he knew of none. The colonels employed the agents as their servants, and became security for them; whether that security was sufficient, was another thing.

Mr. *Dent* said, it was an undoubted fact, that the agents had sums due to them. One house had failed to whom government owed a large balance, and he believed the account was not settled to this hour. He thought it unfair in the hon. gentleman (Mr. Johnstone) to particularize one house, instead of speaking generally. In the course of his speech, he had observed, that Mr. Greenwood was employed by 45 members of parliament, and he had also spoken of a higher power. Did he mean to say, that that higher power participated in the profits of the agent? When he mentioned the 176 battalions, he must surely have known that every colonel appointed his own agent; and if the higher character of Mr. Greenwood over other agents drew such a number to him, it redounded greatly to his credit, for he believed no influence whatever was used.

Sir *F. Burdett* could see no reason why there should not be an uniform mode for the payment of the army, and a board appointed to superintend it. It appeared very suspicious that one man should have engrossed almost the whole agency of the army. If, as was said, an intimacy subsisted between the gentleman alluded to and the duke of York, it was not then difficult to perceive the influence that occasioned this monopoly, for it could not be considered wonderful that the colonels of regiments should have that connection in view. Mr. Greenwood's business alone was probably worth from 60 to 80,000*l.* per annum, but he was sure that if a board was appointed, a very great saving would accrue to the public.—The right hon. gentleman (Mr Long) observed, that several of the agents, particularly Mr. Greenwood, had balances due to them from government. He believed that the public money was always greatly in advance to the agents, and it was infinitely better that it should be lodged in the Bank of England, and the bills for the different services be made payable there, as was the case in the Bill lately passed for regulating the office of agent-general for the volunteers and local militia.—When the right hon. gentleman spoke of the regimental accounts not being made up, he thought it argued a great deal of neglect, and that it ought to be inquired into. Sir Francis referred to the cases of several agents who had made away with themselves, particularly Mr. Hesse, and that the House ought to know what balances were owing by them.

Mr. *Rose* said, while he held the situation at present occupied by his right hon. friend (Mr. Long), he endeavoured to bring those accounts to a settlement; and that it had not been done arose not from a dereliction of duty in the persons connected with the Pay-office, but from the extreme difficulty attending regimental accounts. The agents, he could aver, in many instances, had large sums due to them from the public, and, with respect to Mr. Greenwood, that was the case. He did not know that gentleman—he never conversed with him in his life; but it was due to his character to state, that he believed no man could conduct himself more honourably. The idea of a general agency was not new, but though some advantages might be derived from it, they would be greatly outweighed by the evils it would probably occasion.

Mr. *Parnell* was of opinion, that the Reports of the Commissioners of Military Inquiry had been shamefully neglected. If their suggestions had been followed, in his opinion, all this confusion of accounts would have been avoided. The country had been put to an enormous expence for enquiries into various branches of the public service; 50 or 60,000*l.* had been paid to commissioners; and he could wish to have it shewn that great practical benefits had resulted from those labours.

Mr. *Rose* wished merely to state his perfect conviction, that the insinuation of an improper influence being exerted to give a monopoly of regimental agencies to a particular individual was utterly unfounded. He believed there never had been an interference of any kind made use of by the personage alluded to.

Mr. *Long* said, that the Bill introduced by Mr. Burke, which directed a different account to be opened for every regiment of the line, and rendered a variety of details necessary, rendered it impracticable for any Secretary at War to investigate them all. When every soldier in the army had his separate account, it was natural that there should be much perplexity and confusion: it was therefore impossible to go through the accounts with all the celerity which the public interest required. If there was a defect in the system, it arose from an attempt to produce a very great degree of accuracy. He knew if that accuracy was not preserved, the work would be sooner performed; but by giving up a fraction here and there, a very serious loss would result. Therefore the Secretary at War was at present endeavouring to draw up the accounts on the plan laid down in Mr. Burke's Bill. There was no doubt that large sums had been due to Mr. Greenwood from the public. As to the influence of a higher power, which had been alluded to, he thought it would be more just if the hon. gentleman, instead of dealing in insinuations, would make a direct charge. The fact was, the colonel of every regiment appointed his own agent, and what authority was there to interfere with that right? For his own part, he never heard of any such interference on the part of the duke of York. When the hon. gentleman said that the public money was placed at risk, because Mr. Greenwood had so many agencies, he could not help expressing his belief that it was as safe in his hands as in those of any other agent.

Mr. *Cochrane Johnstone* said, the right hon. gentleman (Mr. Long) had no right to attack him as wishing to have an account only of the balances against the agents: the words of one of the Resolutions expressly were,—"for and against." He also stated, that when he made a similar motion in 1807 for balances, the right hon. gentleman then replied, that it would be impossible to give it, from the complicated state of the accounts. He had received the same answer now, and he dared say the same answer would be given twenty years after this. In speaking of the house of Greenwood, he meant not to cast any reflection on it. Mr. Greenwood he knew to be a man who had performed many excellent acts, but on public grounds he did not think it right that an individual should monopolize almost the whole army, and what he stated would apply to all army agents. The hon. gentleman was aware that the present system of pay lists was complex, and he suggested the propriety of making them out only twice a-year instead of four times, which would reduce the number of accounts to be examined. To this he particularly called the attention of the House, that no answer had been given to his suggestion for lodging the monies in the bank of England; and that all bills should be made payable there, as is the case with the agent-general for volunteers and local militia. There might be a diversity of opinion with respect to a board of agency, but none could exist as to putting the money in perfect security. By one individual house monopolizing almost the whole army, the public monies were undoubtedly exposed to greater risk than by dividing the business in the hands of other agents.

Mr. *Martin*, of Galway, thought, in the present state of public credit, the hon. gentleman should have been perfectly sure that a large balance was due by Mr. Greenwood before he made the assertion, and he did not see why that gentleman should be particularly alluded to.

Mr. *C. Johnstone* here interrupted Mr. Martin, and stated, that he was in the judgment of the House, if he had ever said that any balance was due by Mr. Greenwood, or any other house. All he stated was, and he still maintained his opinion, that Mr. Greenwood did not find security sufficient for the enormous sums of money which passed through his hands, and which were always paid one month in advance. In referring particularly to Mr. Greenwood, it was because he really was almost the only agent, having monopolized the greatest part of the army.

Mr. *Martin* did not mean to say that the hon. gentleman did, in direct terms, assert that Mr. Greenwood was a considerable debtor to the public; but it must be in the recollection of every gentleman present, that, by insinuation, it was so to be understood; for of what importance was it to the public that large sums were received by the House if they were repaid? Such an insinuation, out of doors, would render a man liable to a heavy action. He was glad to hear it asserted, by those who had the opportunity of knowing the fact, that there was, upon the whole, looking to the receipt and expenditure, a balance due by the public to that respectable house.

The Resolutions were put and carried *nem. con.*

HOUSE OF LORDS.

Thursday, July 30.

The Prince Regent's Speech at the Close of the Session.] The archbishop of Canterbury, the Lord Chancellor, the earl of Harrowby, the earl of Westmoreland, and the earl of Liverpool, took their seats in their robes, as his Majesty's commissioners for notifying the royal assent to a Bill, and for proroguing the parliament.

Sir Thomas Tyrwhitt, the Gentleman Usher of the Black Rod, was sent to the Commons to require their attendance.

Shortly afterwards the Speaker, and several members of the House of Commons, came to the bar.

A commission for giving the royal assent to a Bill was read by the reading clerk at the table.

The royal assent was notified, in the usual form, to the Insolvent Debtors' Bill for England.

The Lord Chancellor, in the name of his royal highness the Prince Regent, delivered the following Speech:—

" My Lords and Gentlemen,

" In terminating the present session of parliament, his royal highness the Prince Regent has commanded us to express to you the deep concern and sorrow which he feels at the continuance of his Majesty's lamented indisposition.

" His Royal Highness regrets the interruptions which have occurred in the progress of public business, during this long and laborious session, in consequence of an event which his Royal Highness must ever deplore. The zeal and unwearied assiduity with which you have persevered in the discharge of the arduous duties imposed upon you by the situation of the country, and the state of public affairs, demands his Royal Highness's warmest acknowledgements.

" The assistance which you have enabled his Royal Highness to continue to the brave and loyal nations of the peninsula is calculated to produce the most beneficial effects.

" His Royal Highness most warmly participates in those sentiments of approbation which you have bestowed on the consummate skill and intrepidity displayed in the operations which led to the capture of the important fortresses of Ciudad Rodrigo and Badajoz during the present campaign; and his Royal Highness confidently trusts that the tried valour of the allied forces under the distinguished command of general the earl of Wellington, combined with the unabated spirit and steady perseverance of the Spanish and Portuguese nations, will finally bring the contest in that quarter to an issue, by which the independence of the peninsula will be effectually secured.

" The renewal of the war in the North of Europe furnishes an additional proof of the little security which can be derived from any submission to the usurpations and tyranny of the French government. His Royal Highness is persuaded, that you will be sensible of the great importance of the struggle in which the emperor of Russia has been compelled to engage, and that you will approve of his Royal Highness affording to those powers who may be united in this contest, every degree of cooperation and assistance, consistent with his other engagements, and with the interests of his Majesty's dominions.

" His Royal Highness has commanded us to assure you, that he views with most sincere regret the hostile measures which have been recently adopted by the government of the United States of America towards this country. His Royal Highness is nevertheless willing to hope, that the accustomed relations of peace and amity between the two countries may yet be restored; but if his expectations in this respect should be disappointed by the conduct of the government of the United States, or by their perseverance in any unwarrantable pretensions, he will most fully rely on the support of every class of his Majesty's subjects, in a contest in which the honour of his Majesty's crown and the best interests of his dominions must be involved.

" Gentlemen of the House of Commons,

" We have it in command from his Royal Highness to thank you for the liberal provision which you have made for the services of the present year. His Royal Highness deeply regrets the burthens which you have found it necessary to impose upon his Majesty's people, but he applauds the wisdom which has induced you so largely to provide for the exigencies of the public service, as affording the best prospect of bringing the contest in which the country is engaged to a successful and honourable conclusion.

"My Lords and Gentlemen,

"His Royal Highness has observed, with the utmost concern, the spirit of insubordination and outrage which has appeared in some parts of the country, and which has been manifested by acts, not only destructive of the property and personal safety of many of his Majesty's loyal subjects in those districts, but disgraceful to the British character. His Royal Highness feels it incumbent upon him to acknowledge your diligence in the investigation of the causes which have led to these outrages, and he has commanded us to thank you for the wise and salutary measures which you have adopted on this occasion. It will be a principal object of his Royal Highness's attention to make an effectual and prudent use of the powers vested in him for the protection of his Majesty's people; and he confidently trusts, that on your return into your respective counties, he may rely on your exertions for the preservation of the public peace, and for bringing the disturbers of it to justice. His Royal Highness most earnestly recommends to you, the importance of inculcating, by every means in your power, a spirit of obedience to those laws and of attachment to that constitution which provide equally for the happiness and welfare of all classes of his Majesty's subjects, and on which have hitherto depended the glory and prosperity of this kingdom."

After which a commission was read, for proroguing the parliament until Friday the 2d of October then next: and the parliament was prorogued accordingly.—On the 29th of September the Parliament was dissolved.

The following is a fuller Report of Mr. Hutchinson's Speech on Mr. Sheridan's Motion relating to the Ex-Officio Information against Mr. Fitzpatrick, than the one given at p. 1116.

Mr. *Hutchinson* considered this question as one deeply connected with the interest of suffering millions of his countrymen—and that the House of Commons were called upon to mark this proceeding with their decided disapprobation; particularly when they recollected the events of the last summer in Dublin.

He was very far from meaning to reflect on the Attorney General (Mr. Saurin)—whose public as well as private character he highly respected; but he differed entirely with him in the view he seemed to have taken of the present question—and he regretted to be obliged to add, that when he recollected the part that gentleman had taken during the late remarkable trials, he could not but view his conduct on the present occasion with jealousy and suspicion.

As an Irishman he felt indebted to the duke of Richmond, for not having, like some of his predecessors, viewed Protestant and Catholic through a different medium—he had on former occasions publicly expressed, in that House, his acknowledgments to his grace, for his general conciliatory system, which he had no doubt was gratefully felt by his countrymen, and it was therefore with deep regret he witnessed the proceedings of the last year, a continuation of which the threatened prosecution against the printer induced him now to apprehend.

It would have been wise not to have adopted any hasty proceeding against the objectionable passage alluded to, lest any such step should be considered by the Catholics, as he had no hesitation in declaring it was by himself, as an attempt to prevent the circulation of the book altogether.—But even admitting for the sake of argument, the passage in question to be so highly objectionable, that, for the honour of justice and the government, it were deemed necessary to act against it—surely this should have been done, so as to have given government the least possible advantage over the accused, and every step should have been taken with the utmost caution and good temper.

Doubtless had Mr. Fitzpatrick, on appearing in the Attorney General's chamber, given up the name of the author, there would have been no prosecution against him. The publication for which the printer was thus summoned to appear, he held in his hand; it was a work of great research and learning—most necessary, and highly calculated to enable those who are ignorant of Catholic disabilities, to comprehend their nature and extent, and therefore one of great utility, and which, considering its object, should have been treated by the government with the utmost indulgence.

The government would be highly criminal were they to make any attempt to prevent the circulation of this work. Let it be refuted if its statements are inaccurate and false; but let not the strong hand of power be levelled against it for the purpose of silencing it altogether.

He asked whether there was not a most extraordinary and lamentable ignorance abroad on the real merits of this question. What was a noble and learned lord (Ellenborough) reported to have said upon this subject, "As to considering the laws, which press so severely on the Roman Catholics, his lordship believed that any man of common understanding would be able in a day, or even in a few hours, to point out what immediately required repeal." Could this noble lord (observed Mr. H.) have been in any other, than a complete state of ignorance as to the numberless disabilities which at present attach upon the Catholics, when he gravely made such a declaration.

Are we not justified in concluding, that the Protestant community at large of this country, must be also in gross ignorance of the operation of those laws, when a learned lord chief justice of the land appears so totally unacquainted with them.

How evident then is the necessity of such a publication, which, in the apprehension of many, it is now the intention of government to put down.

But it appears that the ministers were not consulted upon the proceeding of the Attorney General—Why so—Was it because the Irish government felt confident, that they would be countenanced by ministers in every proceeding, however indiscreet, against the Catholics? Was it, that they knew they might insult and outrage them, as they had with impunity been permitted to do during the last year?

Can the duke of Richmond, or any man, really believe, that the present cabinet is sincerely disposed to be friendly to those claims, which they have even refused to bind themselves to discuss?—Can the Catholics themselves have any rational reliance of ultimate success, when their claims are to be decided upon by such men?—Hear what they say.

"The keeper of the King's conscience, alluding to his high station—to the sincerity of his actions, which he observed no man had a right to question—calling his God to witness, had in the most solemn manner protested against those claims, and charged the Catholics with holding principles hostile to those establishments—which his lordship reminded the House, he was bound to defend—and declared that in his opinion, they could take no oaths of adequate security, and if he were even to stand alone, he would resist their claims. The noble earl and first minister of state, asked why they would not take the oath of supremacy, and stoutly declared his determination to oppose concession *in limine*. While the noble viscount, the home secretary, under whose ministerial management their island is at present placed, declares the Catholics to be in a state of imperfect allegiance, and denies generally that they experience any real grievance from the operation of the penal code."

How then, with a cabinet so composed, can the Catholics have any confidence that their claims will meet with dispassionate consideration.—Or why should the duke of Richmond have felt it at all necessary to consult with such ministers, as to any proceeding which it may be his grace's pleasure to take, on this, or any other subject connected with the Catholic cause. But pledged as the House of Commons was to take those claims into consideration early next session, it surely became their duty not to permit ministers, during the recess, to insult and inflame the great body whose cause was now pending.

Such proceedings could have no other effect, but that of irritating the people of Ireland.

It was nothing less than madness to act upon such a principle. He confessed that he entertained considerable apprehensions from recent occurrences, which he could not but consider as ominous of an evil disposition, lurking somewhere—a disposition to inflame.

Publications had recently appeared in this country and in Ireland, obviously intended to disconnect Protestant and Catholic. Had we not seen Mr. Irwin's Appeal to his Protestant fellow-jurors, in Sligo—also the several publications from a clergyman in Cambridgeshire, which, with many others of a like tendency, were generally and assiduously circulated, doubtless all meant to counteract that conciliatory disposition which had lately manifested itself in different quarters.

It was curious to mark the progress of this great question, and the various modes adopted to resist those claims. In the first, and early stage of their discussions, the Catholics were treated as a body altogether not trust-worthy, and whose principles were in every way dangerous to the state; but their conduct for centuries, and the repeated acts of parliament in their favour, gave complete contradiction to any such charges. It was next alleged, that as a body, they felt no interest in the question—that it was interesting only to a few—and this great cause, involving the welfare of millions, was stated as being agitated only to further the views of some interested factious demagogues.

In order to meet this objection, the Catholics were about to depute to an aggregate meeting, individuals from every quarter of their island, who could speak the sentiments of the general mass. This was, however, prevented by the Irish government in the celebrated proclamation so often alluded to.

The Catholics then presented a Petition from the Protestants of Ireland in favour of their claims, and notwithstanding that there was no counter Protestant Petition on the table, it has been gravely asserted, that the Protestants of Ireland are still hostile to concession. Again—gross ignorance having appeared as to the real state of the penal code, the Catholics put forth a publication of great labour and erudition, calculated to inform every man in the empire of the numerous grievances and disabilities under which they at present labour; and because an objectionable passage (libellous or otherwise) appears in this work, whose general object is of the highly laudable nature alluded to, the Irish government deemed it politic to proceed against the printer, in a manner well calculated to excite the apprehension and alarm of the Catholic body.

Another, and a very recent attempt has been made, futile indeed—that of calling into question the sincerity and motives, and vilifying the exertions of those who have ably and undauntedly advocated those claims, under every disadvantage.

But so base a charge could not have

the effect of injuring those who have so justly entitled themselves to the confidence and gratitude of their Catholic fellow-countrymen—the manly avowal of whose sentiments was virulently condemned by those who felt themselves unequal to refute what they were so eager to defame, and who, in the agony of despair, impudently propagated that the Catholics themselves disapproved of those proceedings, of which they have, in the most unqualified manner, declared their warmest approbation.

These insulted millions, who constitute the population of one island, and the strength of both—who are the agriculturists—traders and manufacturers—who contribute mainly to the support of all the establishments, and of the state—without whose arms we must retire from every contest, naval as well as military—who are the foremost in every danger, and the heroes in every battle—and who are at this moment the strength of the gallant troops in the peninsula—without whose assistance the state must speedily perish—that such men should require any advocacy must be revolting to the feelings of every honourable and generous mind.

He would not say to the Catholics—withhold your aid—decline falling into the ranks of my lord Wellington's army—refuse to man the proud fleets of Britain—in your mode of living contribute as little as possible to the exigencies of the state—stand aloof, and let the favoured Protestant community bear alone the brunt of the tremendous and awful contest in which the empire is at present engaged—No! this language he would not hold to the Catholics, and to their credit be it proclaimed, they would not be disposed to adopt it. But he recommended seriously to ministers and the House, to consider the disastrous results which could not fail to ensue, were the Catholics—insulted and irritated, compelled to act upon any such retaliatory system.

It was therefore in order to keep the Catholic mind in a state of quiet, that he entreated ministers not to countenance any rash proceeding upon the present occasion, which might be interpreted by that body as directed against them.

He admitted the publication of the penal code to be a work which merited the indignation of his Majesty's ministers; and to which, if they were not the most faithless of the faithless to all their former public principles, they could not but feel decidedly inimical—for doubtless the danger to be apprehended from this most objectionable work—was, that it so fully and completely exposed the real state of the Catholics, and the numberless disabilities under which that great body still laboured—that he had no hesitation in declaring it to be his decided opinion, that when the members of both Houses of parliament made themselves acquainted with that work, there could no longer exist one dissentient voice to the necessity of repeal. Therefore a work of such a tendency, and of so much intrinsic value to this object, could not fail to have excited the indignation and hostility of the present government.

He stated, with infinite satisfaction, that it was his conviction, that the Protestants and Catholics of Ireland were generally most anxious to forget all religious distinctions, and cordially to harmonize together—but he was apprehensive of the mischief that might arise from the government's not marking, in the most decided manner, their disapprobation of any proceeding calculated to revive religious animosity.

Mr. Hutchinson could not but remark upon the late period of the session, (in the absence of almost every Irish member) when this prosecution against the printer commenced.

It might be convenient to ministers to create a cry of No Popery—and again to sound the alarm bell; but he was confident that any such attempt would be altogether of no avail in Ireland, and little to be apprehended even in this country—where even though ministers, or any others, were to succeed in creating any hostile feeling or angry declaration against the Catholic claims, such could only but redound to their disgrace and discomfiture—for he felt it to be his duty to apprise them—that the united voice of Britain would be ineffectually raised, to prevent the success of that cause, which was founded upon the immutable principles of justice, and must speedily be triumphant.

APPENDIX.

APPENDIX.

PAPERS RELATING TO THE NEGOCIATIONS IN THE MONTHS OF MAY AND JUNE, 1812, FOR FORMING A NEW ADMINISTRATION.

PAPERS relative to Lord Liverpool's Proposal to Lord Wellesley, May 17, 1812.

(Copy)—No. I.

Note from Mr. Canning to Lord Wellesley, inclosing the Minute taken in Lord Liverpool's presence, May 17, 1812.

Gloucester Lodge, May 17, 1812.

My dear Wellesley; I inclose the minute which I have taken in lord Liverpool's presence of the proposal which he was charged to convey to me.—Ever, my dear Wellesley, sincerely and affectionately, your's, George Canning.

P. S. I shall return a written answer to lord Liverpool to-morrow.

(Inclosure—No. I.)

Minute of Conversation between Mr. Canning and Lord Liverpool, dated 17th May, 1812.

Gloucester Lodge, Sunday, May 17, 1812.

Lord Liverpool stated to me that he was commanded by his royal highness the Prince Regent to make me the following communication:

That upon the melancholy event of Mr. Perceval's death his Royal Highness being desirous of continuing his administration upon its present basis, was desirous also of strengthening it as much as possible, by associating to it such persons in public life as agreed most nearly and generally in the principles upon which public affairs had been conducted;

That with this view his Royal Highness naturally looked to lord Wellesley and to me:

That he (lord Liverpool) was authorized to express the disposition of all his colleagues to act with lord Wellesley and me, under an arrangement which might be at once consistent with their own honour and duty, and honourable and satisfactory to us;

That with respect to lord Castlereagh, it was fair that it should be distinctly understood, that the situation in which he stands both in this government, and in the House of Commons, was to be preserved to him;

That with respect to official arrangements, he (lord L.) would not have been the bearer of any proposition to me, but one which was understood as comprising my friends. In answer to a question put by me, lord L. stated, that his colleagues were desirous, that he should be appointed to the office of First Lord of the Treasury; and that this desire was known to the Prince Regent, when his Royal Highness commanded lord Liverpool to undertake this communication.

Lord Liverpool added, that he was ready to answer any other enquiry that I might wish to make; or to clear up any thing that he might have imperfectly explained. I said, that I thought it better to receive his communication just as he gave it to me: and to defer making any remark, or giving any answer whatever, until I should have communicated it to my friends: lord Liverpool himself undertaking to see lord Wellesley.

I would only, therefore, ask—whether I was to consider the opinion and policy of the government as remaining altogether unchanged upon the question relating to the laws affecting the Roman Catholics?

Lord Liverpool answered, that his own opinions upon this subject remained unchanged; and that he was not aware that those of his colleagues had undergone any change.

I then wrote this minute in lord Liverpool's presence; which he read over, and suggested such corrections as appeared to him necessary for making it perfectly accurate. George Canning.

No. II.

MINUTE of Conversation between Lord Wellesley and Lord Liverpool, 17th May, 1812.

Apsley House, 17*th May,* 1812, ¼ *past* 5, *p. m.*

Lord Liverpool came to me immediately after his visit to Mr. Canning, and remained with me for about half an hour. Soon after lord Liverpool's departure, I received the annexed paper from Mr. Canning.*

Lord Liverpool's conversation with me was substantially the same as that which is described to have passed with Mr. Canning. Any difference which appeared, arose necessarily from my questions and observations, which were made without knowledge of what passed between lord Liverpool and Mr. Canning. After receiving lord Liverpool's verbal communication, nearly in the terms stated by Mr. Canning, I enquired, 1st, what was to be the policy of the government with relation to the Roman Catholics?

To this question lord Liverpool returned the same answer stated in Mr. Canning's paper, to have been returned to a similar question. 2dly, I observed to lord Liverpool, that he was apprised of my opinion, that our efforts in the peninsula had been conducted on an inadequate and imperfect scale, which could not be expected to accomplish the ultimate objects of the war in that quarter. That I had for a long time considered an extension of our system in the peninsula to be indispensably necessary, and easily practicable: that I was aware of the impropriety (in my present situation) of urging any detailed questions to lord Liverpool on this point; but, that I mentioned it now, because it must form a principal consideration in my answer to the proposition which he had brought to me.

Lord Liverpool said, that he did not agree in my opinion respecting the scale of the efforts which we had hitherto made in the peninsula, which he thought as great as it had been possible to make; that there never had been any limit to our exertions in that quarter, but what arose out of the question of practicability (that is, the means of increasing and supplying our armies,) and that he had never heard any specific plan, by which those means might have been carried further, though the subject had been often most anxiously considered in my presence: that circumstances had occurred since my resignation, which did not then exist, and into the particulars of which it would not be proper for him to enter at this time, which might enable government to extend, to a certain degree, the military operations in the peninsula, and the system of himself and his colleagues would be, as he contended they always had been, to make the greatest efforts in the cause of the peninsula, which the resources of the country rendered possible.

3dly, I enquired whether all the general constituent parts of the present cabinet were to remain? He informed me that they were in general to remain. He believed it was known to me, that some of the members of the cabinet had been long desirous of retiring, and would be ready, therefore, now to afford facilities to any new arrangement.

In answer to a question put by me respecting lord Sidmouth and his friends, he said they were to remain.

4thly, I stated to lord Liverpool, that I made no enquiry respecting the proposed distribution and allocation of offices; because that circumstance would not constitute the basis of my decision upon the proposition which he had brought to me.

Lord Liverpool observed, that the distribution of offices was a matter open to future adjustment, to be regulated for the honour of all parties.

5thly, When lord Liverpool informed me, that the leading in the House of Commons was to be preserved to lord Castlereagh, I remarked, that in any situation which I might ever hold in any adminstration, I should feel great obligation to any member of the government who would undertake that charge, which was called the leading in the House of Parliament in which I sat, although I was fully aware, of the great importance which that charge necessarily conveyed to the person who exercised it, and of the great influence which it must give to him in the general administration and patronage of the government.

6thly, I desired to know, whether all those persons now designated by the name of the "Opposition," were to be excluded from the proposed scheme of administration?

Lord Liverpool answered, that no principle of exclusion was intended; but that he was not authorized to make any proposal, to any persons, of the description, which I had mentioned.

---

* Vide Mr. Canning's Minute, No I.

7thly, Considering the course, which lord Liverpool had observed, in making this communication, I asked him, whether he applied to me by command of the Prince Regent, as a part of Mr. Canning's suite?—I reminded lord Liverpool of the constant and unabated exertions which I had made to open every avenue for the return of Mr. Canning to the public service, remarking at the same time, that I never had attempted to press that point, beyond the honour and feelings of Mr. Perceval's administration. I stated, that I could not consider any administration to be constituted on a foundation of justice towards individual talents and services, or towards the interests of the country, in which Mr. Canning should not hold a high efficient station. But I added, that Mr. Canning was under no engagement to me, which could preclude his acceptance of any office which might be offered to him; that on the other hand, Mr. Canning would certainly make the same declaration with regard to my perfect freedom. Lord Liverpool said, that he had pursued this course of communication, being convinced, that under the present circumstances, I would not accept office, unless a fair proposal was made to Mr. Canning: I declared to lord Liverpool, that he was correct in this view of my sentiments towards Mr. Canning; repeating, however, that Mr. Canning and I were perfectly free to act as each might think fit, and that our agreement in many great public principles, could not affect questions of mere official arrangement.

8thly, I expressed my wish to receive this communication in writing; to answer it in writing; and also to submit my sentiments upon the whole transaction in an audience of the Prince Regent.

Lord Liverpool informed me, that Mr. Canning would transmit to me a copy of the Minute of lord Liverpool's conversation taken in his presence, and lord Liverpool desired me to consider that paper* as the written communication which I wished to receive. I agreed to lord Liverpool's proposal on this point.—I then informed lord Liverpool, that I would return my answer in writing to that paper. Whatever might be the tenor of my answer, with regard to the great public considerations, on which it must be founded, I expressed my hope, that lord Liverpool would be assured of my sincere personal respect and esteem. I now transmit this Minute to lord Liverpool, requesting him to insert any correction which he may think requisite. Wellesley.

Corrected by lord Liverpool, and returned to him.

May 18, 1812. Wellesley.

No. III.

Note from Mr. Canning to Lord Wellesley, enclosing a Letter to Mr. Canning from Lord Liverpool, relative to Lord Castlereagh.

(Copy.)

Gloucester-Lodge, Sunday night,
May 17, 1812.

My dear Wellesley; I have just received from lord Liverpool a letter, of which the enclosed is a copy. I transmit it to you to be added, according to his desire, to the copy of the Minute of his verbal communication of this morning. Ever affectionately your's G. C.

(Copy.—In No. III.)

Lord Liverpool to Mr. Canning.—(Private.)

Fife-house, May 17, 1812.

My dear Canning; I think, upon reflection, it is due to lord Castlereagh to state, in writing, what I mentioned to you verbally, that from motives of delicacy, he absented himself from the cabinet, on the occasions on which the subject in your memorandum was determined.

I did not, however, make the communication to you, without having reason to know that he would be no obstacle in the way of an arrangement, founded on the principle stated in the memorandum.

I will beg of you to communicate this letter to any persons to whom you may communicate the memorandum.

Liverpool.

No. IV.

Copy of a Letter from the Marquis Wellesley to the Earl of Liverpool, transmitting Lord Wellesley's Reply to Lord Liverpool's Proposal.

Apsley House, May 18, 1812,
½ *past three, p. m.*

My dear lord,—I enclose a paper, containing my reply to the communication which you were so kind as to make to me yesterday. Although I find myself compelled to decline the proposal which you conveyed, I request you to accept my grateful thanks for the amicable and satisfactory manner in which you communicated with me; and to be assured, that I shall always entertain the most sincere and cordial sentiments of personal respect and esteem for you.—Believe me, my dear lord, most sincerely your's,

---

* See Mr. Canning's Minute (No. I.)

Wellesley.

(In No. IV.)

Lord Wellesley's Reply to Lord Liverpool's Proposition.

Apsley House, May 18.

From the communication received through lord Liverpool, I understand, that his royal highness the Prince Regent has been graciously pleased to signify his desire of strengthening his administration upon its present basis, by associating me with it, as one of those persons who agree most nearly and generally in the principles upon which public affairs have been conducted.

From the same communication I also derive the gratifying intelligence, that all lord Liverpool's colleagues have authorized him to express a disposition to act with me, under an arrangement, consistent with their own honour and duty, and honourable and satisfactory to me.

I receive this notification of the Prince Regent's commands with every sentiment of duty and affection, while it affords me matter of just satisfaction, that, to the distinguished honour of such condescending notice from his Royal Highness, is added so high a testimony of the confidence and esteem of all the respectable persons composing his present administration.

With all humility towards the exalted authority from which this proposition proceeds, and with the most sincere regard for those through whom it is conveyed, I must, however, declare, that I should have declined it at the first instant of its approach, if motives of deference and submissive attachment had not imposed upon me the obligation of receiving it with respectful consideration.

The proposition necessarily rests upon a supposition, that I entertain no such difference of public sentiment with the present administration as should preclude me from acting with them, under an arrangement, compatible with our mutual and respective honour and duty.

But it appears from lord Liverpool's candid and explicit statement, that, upon the important question, which regards the laws affecting the Roman Catholics, lord Liverpool's opinions remain unchanged; nor is he aware that the sentiments of his colleagues, on that subject, have undergone any change.

I must therefore conclude, that the policy which has been pursued respecting the Roman Catholics, during the present session of parliament, is to be continued without abatement; the general constituent parts of the present cabinet are to remain unchanged; the highest and most efficient offices in the state, therefore, are to be filled by persons, who still conceive themselves to be bound by duty, honour, and conscience, not only to resist any mitigation of the present condition of the Roman Catholics, but even to prevent the consideration of the laws which affect that large portion of the population of the empire.

I cannot concur in the principle, on which the present administration has conducted this important branch of public affairs; on this point, I have recently expressed the strongest difference of opinion with the present administration.

The declaration of lord Liverpool precludes the hope of any such change in the policy of the present administration towards the Roman Catholics as could satisfy my judgment. This difference is of the utmost importance: without any other obstacle, therefore, this alone compels me to decline the proposition which lord Liverpool has conveyed to me.

I entertain a confident expectation, that when the Prince Regent shall have considered the nature of this difficulty, he will extend his indulgence to my humble representation, and will relieve me from the pressure of commands, which I could not obey, without sacrificing a public principle of the highest obligation.

These observations compose a sufficient reply to the communication received through lord Liverpool. But I deem it to be a duty towards the Prince Regent to declare, that the considerations which induced me, on the 19th of February, to resign the station which I had the honour to hold in his Royal Highness's service, have acquired additional force since that time, and would constitute an insuperable obstacle to my acceptance of any station in the present administration.

I originally expressed my desire to withdraw from Mr. Perceval's administration, because my general opinions, for a long time past, on various important questions, had not sufficient weight in that cabinet, to justify me towards the public, or towards my own character, in continuing in office.

My objections to remaining in that cabinet, arose in a great degree, from the imperfect scale on which the efforts in the peninsula were conducted. It was always stated to me, that it was impracticable to enlarge that system. I thought that it was perfectly practicable to extend the plan in the peninsula, and that it was neither safe nor honest towards this country or the allies to continue the present inadequate scheme.

From lord Liverpool's statement upon this point, it is evident, that since my resignation, it has been found practicable to make some extension of the system in the peninsula; but it is still intimated, that my views are more extensive than the resources of the country can enable the government to reduce to practice. I, however, still entertain the same views and opinions, without diminution or alteration; and I am convinced, that a considerable extension of the scale of our operations in the peninsula, and also an effectual correction of many branches of our system in that quarter, are objects of indispensable necessity, and of easy attainment.

With such a decided difference of opinion, in relation to the conduct and management of the war, my return into a cabinet composed as the present is, would offer to me no better prospect than the renewal of discussions, which have hitherto proved unavailing.

I learn from lord Liverpool, that he has received no authority, in forming the intended administration, to make any proposal to any of those persons, now designated by the name of "the Opposition."

My enquiry on this point originated in a sincere conviction, (founded upon an attentive observation of the general state of public opinion, and of the condition of the empire,) that no administration, which shall not comprise some of those persons, can prove advantageous to the Prince Regent, conciliatory towards Ireland, and equal to the conduct of the war on a scale of sufficient extent.

It has been stated erroneously, that the first act of the Prince Regent upon his approach to unrestricted authority, was to establish Mr. Perceval's administration; but the fact is, that his Royal Highness's first act at that crisis was to dissolve Mr. Perceval's administration; and to endeavour to form a cabinet upon a more extended and liberal basis. This endeavour was frustrated at that moment; and the formation of such a cabinet was represented to his Royal Highness to be impracticable. It has, however, since appeared evident to me, from the discussions and deliberations which I have witnessed in parliament, that his Royal Highness's benevolent intentions on that subject are now perfectly practicable; and that their accomplishment would tend to promote internal peace and tranquillity, and to invigorate the whole system of our external operations.

Impressed with this sentiment, I should be untrue to his Royal Highness's interests and honour as well as to the prosperity of the empire, if I concurred in any arrangement of an administration which did not include a fair and full consideration of this most important point.

After such a dispassionate consideration, my opinion is, that a cabinet might be formed on an intermediary principle respecting the Roman Catholic claims, equally exempt from the dangers of instant, unqualified concession, and from those of inconsiderate, peremptory exclusion; the entire resources of the empire might be applied to the great objects of the war with general consent, upon a full understanding of the real exigency of the present crisis; and concord and union at home might secure ultimate and permanent success abroad. Wellesley.

Mr. Canning to Lord Liverpool.

Gloucester Lodge, May 18, 1812.

My dear Liverpool; I have communicated to such of my friends as I had an immediate opportunity of consulting, the minute taken in your presence, of the proposition which you conveyed to me yesterday.

In a case in which I felt that my decision either way might be liable to misapprehension, I was desirous rather to collect the opinions of persons whose judgment I esteem, than to act on the impulse of my own first feelings.

The result of their opinion is, that by entering into the administration upon the terms proposed to me, I should incur such a loss of personal and public character as would disappoint the object which his royal highness the Prince Regent has at heart; and must render my accession to his government a new source of weakness, rather than an addition of strength.

To become a part of your administration with the previous knowledge of your unaltered opinions as to the policy of resisting all consideration of the state of the laws affecting his Majesty's Roman Catholic subjects, would, it is felt, be to lend myself to the defeating of my own declared opinions on that most important question: opinions which are as far as those of any man from being favourable to precipitate and unqualified concession; but which rest on the conviction that it is the duty of the advisers of the crown, with a view to the peace, tranquillity, and strength of the empire, to take that whole question into their early and serious consideration; and earnestly to endeavour to bring it to a final and satisfactory settlement.

With this result of the opinions of those whom I have consulted my own entirely concurs: and such being the ground of my decision, it is wholly unnecessary to advert to any topics of inferior importance.

After the expressions, however, with which you were charged on the part of all your colleagues, I should not be warranted in omitting to declare, that no objection of a personal sort should have prevented me from uniting with any, or all of them, in the public service, if I could have done so with honour; and if, in my judgment, a cabinet, so constituted in all its parts, could have afforded to the country, under its present great and various difficulties, an adequately efficient administration.

I cannot deny myself the satisfaction of adding, that the manner of your communication with me has entirely corresponded with the habits and sentiments of a friendship of so many years; a friendship which our general concurrence on many great political principles has strengthened, and which our occasional differences have in no degree impaired.

On the public grounds which I have stated, I must entreat you to lay at the feet of the Prince Regent, together with the warmest expressions of my dutiful attachment to his Royal Highness, and of my acknowledgment for the favourable opinion which his Royal Highness has been graciously pleased to entertain of me, my humble but earnest prayer to be excused from accepting office on terms which, by a sacrifice of public character, must render me inefficient for the service of his Royal Highness's government.

I presume, at the same time, humbly to solicit an audience of the Prince Regent, for the purpose of explaining in person to his Royal Highness the grounds of my conduct, on an occasion on which I should be grieved to think, that his Royal Highness could for a moment, consider me as wanting either in duty to his Royal Highness, or in zeal for the public service; and of assuring his Royal Highness that my inability to assist in forwarding his Royal Highness's purpose of procuring strength to his administration, on the plan which has been suggested by his Royal Highness's confidential servants, does not arise from any disposition, on my part, to shrink from the encounter of those difficulties which press, at this time, upon the country, and upon the crown.—I am, &c.

George Canning.

EXPLANATORY LETTER from Lord Liverpool to the Marquis Wellesley.

Fife House, May 19, 1812.

My dear lord; after the receipt of the paper which you sent to me in the afternoon of yesterday, I should certainly have felt it to be unnecessary and fruitless to trouble you with any further correspondence, if I were not desirous to correct the misapprehension into which you appear to have fallen respecting my opinions, and those of my colleagues, upon the Roman Catholic question.

In the communication which passed between us on Sunday, as well as that which I previously had with Mr. Canning, I certainly stated my opinions upon the Roman Catholic question to remain unchanged, and that I was not aware that those of my colleagues had undergone any change.

With respect to myself individually, I must protest against its being inferred from any declaration of mine, that it is, or ever has been, my opinion, that under no circumstances it would be possible to make any alteration in the laws respecting the Roman Catholics.

Upon the last occasion on which the subject was discussed in parliament, I expressly stated, that circumstances might arise, in which, in my judgment, some alteration in those laws would be advisable. I have always been desirous of hearing the specific proposition which should explain distinctly, what part of the existing securities it was intended to repeal; what part it was intended to preserve, and what were the new securities which it has been so often declared, must be constituted in the place of some of those which are at present in force.

I have never heard any satisfactory explanation on this point.

I will fairly own, that in the present state of the opinions and feelings of the Roman Catholics, I do not believe such a project to be practicable, consistently with the attainment of the avowed objects of really satisfying the Roman Catholics, and of affording an adequate security to the Established Church and constitution.

Entertaining this opinion I have felt it to be my duty to continue to resist a parliamentary enquiry on that subject, which, in my judgment would be productive of no other effect than that of alarming the Protestants on the one hand, and of deluding and deceiving the Roman Catholics on the other.

With respect to the opinions of my colleagues, there are some who entirely agree with me in the view which I have taken of this question; but I am sure it must be known to you, from discussions at which you have been present, that there are others who have always entertained and avowed different opinions from those professed by me upon some parts of this subject.

You must recollect that considerations of a very high importance, but which might be only temporary in their nature, induced us all, up to a very late period, to be decidedly of opinion that it was not proper that under such circumstances the measure should be entertained.

You may be of opinion that since the month of February last, these considerations have ceased to be in force. But they are still regarded by others as not having lost their weight. Besides the considerations to which I have referred, the conduct and temper which the Roman Catholics have been induced to manifest, the principle upon which the question has been brought forward, the circumstances of Europe at this time, gave rise to objections which are felt in a greater or less degree by different persons.

I have thought this explanation due to my colleagues and to myself.

In one point we are all agreed, that this is not the moment at which the question ought to be entertained, with a view to any immediate practical consequence. I am aware, that in this sense of our duty, our opinions may be at variance with your's; but it is material that these opinions should not be misunderstood, or subject to the interpretation to which my silence might render them liable, if I had not returned some answer to that part of your paper.

Upon the subject of the manner in which the war in the peninsula has been managed, I forbear entering into any particulars at present; but I think it material to observe, with respect to my declaration, that since your resignation it had been found practicable to make some extension of the military efforts in the peninsula, that it has not arisen from any means which were in existence at the time when you were in office, and in which there had been then any indisposition or objection to direct to that object, but that it has grown out of events which subsequently occurred, and which may place at the disposal of government means which were at that time unavoidably applied to another service.

As this letter is merely explanatory, I will not give you the trouble of returning any answer to it; but I am sure you will see the justice and propriety of considering it as a part of the correspondence which has passed between us on the subject to which it relates. I am, &c.

LIVERPOOL.

No. VI.

Copy of Lord Wellesley's REPLY to Lord Liverpool's Explanatory Letter of the 19th May, 1812.

Apsley House, May 21, 1812.

My dear lord; although you have had the goodness to dispense with my returning any answer to your letter of the 19th instant, some further observations on my part may perhaps contribute to promote the professed object of that letter, by explaining and correcting whatever may appear doubtful or erroneous in the course of our recent correspondence.

When you informed me, that your opinion upon the claims of the Roman Catholics remained unchanged, and that you were not aware of any change in the opinion of your colleagues on that subject, I certainly concluded, that the policy, which has been pursued, during the present session of parliament, would be continued by the new cabinet: subsequent reflection satisfies me, that such a conclusion was just and reasonable; nor can I admit, that I have fallen into any misapprehension of that system of policy, when I have described it as consisting, not only in the denial of any present relief to the

Roman Catholics, but even a peremptory refusal to consider the state of the law which affects their civil condition.

Whatever may be the different character or complexion of the opinions of the several members of the present cabinet, the practical result has been to pursue the course, which I have described, during the present session of parliament; and your explanation on this point closes with an admission, that you are all agreed to continue the same policy in the present moment.

No suggestion is made of the time or circumstances, in which any alteration of this system of policy can be expected; no prospect is afforded of any conciliatory proceeding, which might tend to open the way to an amicable settlement; and, while a desire of hearing specific propositions of security is professed, the very consideration of the question is denied to parliament, and is not pursued by any other authority.

This statement is no misapprehension of the tenor of your explanatory letter; and in such a state of the practical consequences of the united councils of the present cabinet, it may be deemed superfluous to analyze individual sentiments.

This task, (however useless with regard to present practice) is required from me, by the strong protest which you have made against any inference to be drawn from any declaration of your's, " that it is, or ever has been your opinion, that under no circumstances, it would be possible to make any alteration in the laws respecting the Roman Catholics." To this protest, you have added an assurance, " that upon the last occasion, on which the subject was discussed in parliament, you expressly stated that circumstances might arise, in which, in your judgment, some alteration in those laws would be advisable."

I confess freely to you, that I had always understood your recorded opinion on this subject in a very different sense: I had supposed, that you considered the disabilities imposed by statute upon the Roman Catholics, not as temporary and occasional securities, against a temporary and occasional danger, but as an integral and permanent part of the constitution in Church and State, established at the Revolution.

In this opinion, I had always understood, that several of the principal members of the present cabinet concurred with you; and that you felt, in common, an apprehension, that the removal of any important part of this system of restraint would endanger the foundations of the establishment of our laws, liberties and religion.

Viewing in this light your sentiments, and those of the respectable persons to whom I refer, I am persuaded, that I shall not be suspected of intending to cast any reflection upon the honour or honesty of those principles or of the persons who maintain them.

I have ever considered those principles to be pure and honest in the minds in which I supposed them to reside; and, while I gave full credit to their sincerity, I lamented their erroneous foundation and dangerous tendency.

I must further declare, that from some accident, I did not hear the statement in parliament to which you refer, as having been made by you, on the last occasion in the House of Lords,

I now, however, understand your opinion to be, that circumstances may arise, in which, in your judgment, some alteration would be advisable in the laws affecting the Roman Catholics.

I should be desirous of urging the same enquiry respecting circumstances, which you have made respecting securities; and I should be anxious to hear the specific statement of all, or any of those circumstances, under which you would advise any alteration in the laws respecting the Roman Catholics.

The explanation which you require, respecting securities, is attainable, only by a full consideration and discussion of the whole subject, and I therefore view the declared intention of resisting the first step towards such a discussion, as an effectual barrier against that explanation, which you consider to be the necessary preliminary to any alteration in the existing statutes.

The details of your reasoning on this part of the question, render the prospect of any settlement utterly hopeless; you require a change in the state of the opinions, feelings, conduct, and temper of the Roman Catholics, as a preliminary even to the consideration of the causes of their complaints. But is it possible to expect effectual change in the temper of the Roman Catholic body, while you refuse even to enquire into the nature of the grievances?

The repeated rejection of their claim, without any other deliberation, than that which has arisen on the mere question of taking the Petition into consideration, is not a course of proceeding calculated to mitigate the severity of disappointment.

Reason and moderation must appear in our consideration of their prayer, if we hope to infuse those qualities into their proceedings.

You require, also, a change in the circumstances of Europe. Ignorant of the events which may have furnished any hope of such a change, since I had the honour of a share in his Royal Highness's councils, I must consider the determination to delay this interesting question, until Europe shall have assumed a new aspect, as a virtual negative upon the substance of the claim; and I feel this point with a greater degree of pain, because I am convinced that the continuance of Ireland in her present condition, must protract, if not perpetuate, the present unhappy condition of Europe.

But, until these preliminaries shall have been established, you declare, that it will be your duty to resist parliamentary enquiry; which in your judgment could be productive of no other effect, than to alarm the Protestants, and to delude the Roman Catholics. At the same time, you offer no hope, that the means of relief will be opened by any other authority.

I cannot understand, through what channel of reason or passion, the Protestants should be alarmed, or the Catholics deluded, by a full and fair consideration of the state of the laws affecting the latter body. Indeed, I cannot conceive any proceeding so likely to remove alarm, and to prevent delusion, as that which appears to you likely to create both.

On the other hand, I apprehend much more danger, both of alarm and of delusion, from any system of measures to be founded on the general and indistinct terms, in which you state, that "circumstances may arise, in which some alteration in the laws would be advisable."

You refer to considerations of a "very high importance," which, until a very late period of time, have precluded the executive government and parliament from entertaining this measure; and you suggest, that in the opinion of some persons, these considerations have not lost their weight.

I presume, that you refer to the known sentiments of the most exalted and venerable authority in these realms, on the claims of his Majesty's Roman Catholic subjects.

As your letter seems to bear some reference to the course of my conduct in parliament, and in his Majesty's councils on this subject, I avail myself of this opportunity to explain the motives both of my former silence, and of the recent declaration of my sentiments.

At the remote period of the year 1797, upon the eve of my departure for India, I stated to the late Mr. Pitt my solicitude, that he should direct his attention to the settlement of Ireland; and I expressed to him my conviction, that Ireland could neither be happily settled, nor firmly united to Great Britain, without a concurrent settlement of the claims of his Majesty's Roman Catholic subjects.

The opinions, which I declared to Mr. Pitt, at that time, respecting the substance of those claims, were precisely similar to those which I have stated in the House of Lords, during the present session.

It is not necessary to enter into any review of the transactions which passed during my absence in India, with relation to Ireland, or to the claims of the Roman Catholics.

I arrived from India in the month of January, 1806; and, after one short interview with Mr. Pitt, I assisted in performing the last sad office of following his remains to the grave.

You are aware, that long before that period of time, the "high considerations" to which you refer, had been fixed in full force; that no attempt to change those sentiments could have been made with any prospect of success; and that the result even of a successful proceeding in parliament, would have tended only to produce the most dreadful extremity of confusion.

You must remember, that I have always lamented (as serious national calamities, menacing the constitution of the monarchy) the reference which has necessarily been made to the existence of those personal sentiments, and the causes which have occasioned that necessity.

With the warmest sentiments of personal veneration, attachment and gratitude, my opinion has always been, that the duty of loyalty and affection towards a British sovereign, does not consist in submissive obedience, even to the honest prejudices or errors of the royal mind, but, rather, in respectful endeavours to remove those prejudices and errors, by free advice in council, and by temperate remonstrance in parliament.

But the time for such endeavours had passed; and I submitted, reluctantly, not to my sense of the genuine duty of a faithful counsellor towards his sovereign, but to the painful, and, by me, irreversible necessity of the case.

This is a subject of the utmost—of the most perilous delicacy. Your letter has opened it—I will pursue it no further than to assure you, that when, on the 31st of January, I declared, in the House of Lords, my sentiments respecting the Roman Catholic Claims, the necessity which had occasioned my silence, appeared to me to have entirely ceased.

The second point of your explanatory letter refers to the management of the war in the peninsula.

Your suggestions are necessarily indistinct, with regard to the additional means (which have occurred since my resignation) of extending our military efforts in that quarter. I think I can collect, even from your hints, that although those means are extraneous, the probability of their existence might have been foreseen, as the natural result of instructions, which were in progress of execution previously to my resignation.

But my objection to the system pursued in the peninsula, at the time of my resignation, was applied to the whole frame and fabric of our permanent arrangements, both in Portugal and Spain, which, in my judgment, must be corrected and extended, not only with a view to the advantageous use of such means as we now possess in the peninsula, but even of such adventitious and extraneous means as events in other quarters may place at our disposal.—Believe me, my dear lord, always your's most sincerely, WELLESLEY.

PAPERS RELATIVE TO THE NEGOCIATIONS OF THE MARQUIS WELLESLEY AND THE EARL OF MOIRA, FOR FORMING A NEW ADMINISTRATION.

No. I.

MINUTE of Mr. Canning's Communication to the Earl of Liverpool, May 23rd.

Fife House, May 23rd, 1812.

The Prince Regent having laid his commands on lord Wellesley to form a plan of an administration, to be submitted for his Royal Highness's approbation, Mr. Canning was requested by lord Wellesley, (as the channel of communication thought likely to be most agreeable to lord Liverpool,) to enquire of lord Liverpool whether there would be a disposition on the part of lord Liverpool, and of his colleagues, or of any of them, to entertain any proposal which should be made to them for forming part of such administration.

The principles upon which the administration was intended to be formed, were stated to be, 1st. The taking into the early and serious consideration of the executive government the state of the laws affecting the Roman Catholics, with a sincere and earnest desire to bring that important question to a final and satisfactory settlement.

2dly. The prosecution of the war in the peninsula, with the best means of the country.

It was stated that there would be the strongest wish to comprehend in the arrangement, without any individual or party exclusion whatever, as many as possible of such persons as might be able to agree in giving their public service to the country on these two principles.

With respect to the distribution of offices, it was stated that nothing of any sort was decided, or stipulated; but that every thing would be open to be arranged to the honour and satisfaction of all parties.

No. II.

Lord Liverpool's LETTER to Mr. Canning, May 23d.

Fife House, May 23*d,* 1812.

My dear Canning; I have communicated to my colleagues the memorandum which I received from you this afternoon.

They do not think it necessary to enter into any discussion of the principles stated in that memorandum, because they all feel themselves bound, particularly after what has recently passed, to decline the proposal of becoming members of an administration to be formed by lord Wellesley.—Believe me, &c. &c.

LIVERPOOL.

No. III.

Lord Melville's LETTER to Mr. Canning, May 23d.

Park Lane, 23*d May,* 1812.

Dear Canning; You will probably have

received to night from lord Liverpool, the answer to the proposal which you left with him and communicated to me this afternoon. Having stated to you my strong repugnance, or rather my decided objection, under present circumstances, to join an administration of which lord Wellesley was to be the head, it might be sufficient for me to refer to lord Liverpool's reply, more especially as I do not wish to enter into any detailed reasoning on a question relating to a matter of personal feeling. I think it due, however, to you, as well as to myself, to state distinctly, that I have no objection to act with an administration formed on the two principles mentioned in your memorandum; though I think it improbable that any consideration, which the government can give to the subject of the restrictions on the Roman Catholics, will enable it to propose such a system as will wholly satisfy their claims, and at the same time afford that degree of security to the Protestant establishment, which is generally felt to be necessary.—I remain, &c. MELVILLE.

No. IV.

MINUTE of a Communication made by lord Wellesley to lords Grey and Grenville, at lord Grey's house, May 23rd.

Lord Wellesley stated, that he had received the commands of his royal highness the Prince Regent, to lay before his Royal Highness the plan of such an administration as he (lord Wellesley) might deem adapted to the present crisis of affairs.

That he had apprised his Royal Highness of the necessity of ascertaining the views and dispositions of all parties with regard to certain general principles previously to the formation of any such plan.

That he considered himself merely as the instrument of executing his Royal Highness's commands on this occasion, and that he neither claimed nor desired for himself any station in the administration which it was in his Royal Highness's contemplation to form.

Under these circumstances, he requested to know whether any obstacle existed to the concurrence of lords Grey and Grenville, or their friends, in the following general principles, as the basis upon which an administration might be formed:

First, That the state of the laws affecting the Roman Catholics, and the claims of that body of his Majesty's subjects, should be taken into immediate consideration, with a view to a conciliatory adjustment of those claims.

Secondly, That the war in the peninsula should be prosecuted on a scale of adequate vigour.

Lord Wellesley stated, that, as Mr. Canning and he agreed in these principles, he had requested Mr. Canning to communicate them to lord Liverpool.

Lord Wellesley has reduced the substance of this communication to writing, and now submits it to lord Grey and lord Grenville. WELLESLEY.

No. V.

Lord Moira's LETTER to Lord Wellesley, dated 23d May, relative to No. IV.

St. James's Place, May 23d, 1812.

My lord; I have the honour to acknowledge the receipt of a copy of the minutes of the conversation which your lordships held with lords Grey and Grenville; and I feel much indebted for the communication accompanying them.

The proposed consideration of the Catholic claims, and the adoption of a system of support to the Spaniards, such as may be really capable of producing a decisive result, are the two points of policy which I have long thought the most urgent for the benefit of the country. The question relative to the Orders in Council may be deemed as in effect settled by the evidence adduced before the two Houses: and the active correction of internal abuses must be confidently assumed as the object of such a ministry as is likely to be formed through your instrumentality. A plan of government, therefore, on the basis proposed by your lordship, would have my most cordial wishes. Allow me to say, that this is not to convey any implication of engagement to accept office. This is not mentioned from the remotest regard to the possible distribution of situations; nor does it involve objections to any individual, as there is nothing I should so much deprecate in the present state of public affairs, as a spirit of exclusion. Indeed, the candour and delicacy manifested by your lordship in these communications, are a perfect pledge that the details of arrangements could not but be entirely satisfactory.

I have the honour, my lord, to be with high esteem, your lordship's very obedient and humble servant, MOIRA.

No. VI.

Lord Lansdowne's Letter to Lord Wellesley, dated 23d May, relative to No. IV.

Berkeley-square, Saturday-night, May 23d.

My lord; I am exceedingly sorry not to have been at home when your lordship did me the honour of calling at my house this morning, and am much obliged by the trouble you have taken in sending for my consideration, a copy of the minute of the communication made by your lordship to lord Grey and lord Grenville.

As lord Grey and lord Grenville thought proper to acquaint me confidentially with that communication, as well as the minute of the answer they proposed to return to it; and as I generally concur in the sentiments they have there stated, I shall take the liberty of referring your lordship to that paper, and shall only add there is no part of it in which I more cordially coincide with them, than in the expression of the gratification they have derived from your powerful exertions in support of the claims of the Roman Catholics, and from the manner in which that subject is adverted to in your minute.

I have the honour to remain, with great respect, your lordship's very faithful, and most obedient servant, Lansdowne.

No. VII.

Lord Holland's Letter to Lord Wellesley, dated May 23d, relative to No. IV.

My Lord; I had the honour of receiving your note and enclosure, and beg leave to return my sincere thanks for your attention in sending me so interesting and so early a communication.

Lord Grenville and lord Grey have been so good as to talk the matter over with me confidentially, and I have the satisfaction of finding that I concur generally in their views of the subject, and indeed, know no better way of expressing my opinion, than by referring you to a Memorandum which, I believe, it is their intention to deliver to you to-morrow morning.

I am, my lord, your obliged and obedient humble servant,

Camelford House, Vassal Holland.
May 23d.

No. VIII.

Memorandum from Lords Grey and Grenville, May 24th, in Reply to Lord Wellesley's Minute, No IV.

May 24th, 1812.

In such a moment as the present, we feel it to be the duty of all public men, both by frank and conciliatory explanations of principle, and by the total abandonment of every personal object, to facilitate, as far as may lie in their power, the means of giving effect to the late vote of the House of Commons, and of averting the imminent and unparalleled dangers of the country.

Lord Wellesley has selected two among the many important subjects which must engage the attention of any men, who could, in such circumstances, be called upon to consider of the acceptance of stations in public trust. On those two points, our explanation shall be as distinct as it is in our power to make it.

On the first, indeed, our opinion is too well known, and has been too recently expressed, to need repetition.

We have derived a very high gratification from lord Wellesley's powerful exertions in support of the claims of the Roman Catholics, as well as from the manner in which that subject is adverted to in his Minute, and we do not hesitate to assure him, that we will warmly support any proposal made by any ministers for the immediate consideration of those claims, with a view to their conciliatory adjustment; a measure without which, we have already declared that we can entertain no hope, in any case, of rendering our own services useful.

As to the second point, no person feels more strongly than we do, the advantages which would result from a successful termination of the present contest in Spain. But we are of opinion that the direction of military operations in an extensive war, and the more or less vigorous prosecution of those operations, are questions, not of principle, but of policy; to be regulated by circumstances, in their nature temporary and fluctuating, and in many cases known only to persons in official stations, by the engagements of the country, the prospect of ultimate success, the extent of the exertions necessary for its attainment, and the means of supporting those efforts without too great a pressure on the finances and internal prosperity of the country.

On such questions, therefore, no public men, either in or out of office, can undertake for more than a deliberate and dispassionate consideration, according to the circumstances of the case as it may appear, and to such means of information as may then be within their reach.

But we cannot in sincerity conceal from lord Wellesley, that in the present state of the finances we entertain the strongest doubts of the practicability of an increase in any branch of the public expenditure.

No. IX.

Lord Wellesley to Lord Grey, dated 27th May, communicating the termination of Lord Wellesley's Commission.

Apsley House, 27th May, 1812.
1 *o'clock, p. m.*

My Lord; I take the earliest opportunity of communicating the enclosed papers to your lordship. The paper enclosed (No. XI) has not reached me until within this hour. It appeared to me to be important, that the intelligence which it contains should be conveyed to your lordship, to lord Grenville, and to your respective friends, as soon as may be practicable.

I shall be happy to have an opportunity of stating to your lordship and to lord Grenville, at any time that you may appoint, the whole course of my conduct, since I had the honour of seeing you.

I have the honour to be with great respect, my lord, your lordship's most obedient and faithful servant, Wellesley.

I shall remain at home for some time, and shall be happy to see your lordship and lord Grenville, if it should be convenient.

No. X.

Mr. Canning's Statement to Lord Melville, inclosed in No. IX.

Park Lane, 26th May, 1812.

Lord Melville having stated to Mr. Canning that the ministers, his colleagues, were considering, under the special command of his royal highness the Prince Regent, how far they could advance to meet the first of the two propositions laid down as the basis of the administration, proposed to be formed by lord Wellesley; Mr. Canning feels it necessary before he offers any observation on that statement, to enquire in what situation lord Melville's colleagues consider themselves as standing at the present moment.

1st. Do they consider lord Wellesley's commission at an end, and the former administration as re-established?

2d. Are the discussions, which are now going on among them, directed to the ascertaining the possibility of the individual members of that administration, or any of them, acceding to an administration to be formed by lord Wellesley; or to some proposal to be made by them as a government to lord Wellesley and Mr. Canning?

If lord Wellesley's commission is considered as at an end, it is essential to lord Wellesley's honour that the fact should be publicly known. He has entered upon communications which he could not terminate at the point to which they were brought, without distinctly stating his commission to be at an end.

If what is now in contemplation is some new proposal to be made to lord Wellesley and Mr. Canning, from the former administration revived, then the revival of that administration ought to be made matter of notoriety: and the proposal itself must be distinctly stated, before lord Wellesley and Mr. Canning can form any judgment upon it.

No. XI.

Lord Melville's Communication to Mr. Canning, inclosed in No. IX.

Glocester Lodge, Wed. May 27, 1812.
10 *a. m.*

Lord Melville called upon Mr. Canning, and informed him, in answer to the questions which Mr. Canning put to lord Melville yesterday.

1st. That lord Wellesley's commission is considered by the Prince Regent as at an end.

2d. That the persons now holding offices, hold them only until their successors shall be appointed.

Lord Melville had understood Mr. Canning yesterday to say, that lord Wellesley was of opinion that his commission was at an end; but that he (Mr. Canning) doubted it.

This was a mistake. What Mr. Canning stated was, that lord Wellesley was in doubt as to the Prince Regent's intention; and that he (Mr. Canning) had no means of forming any opinion upon it.

No. XII.

Lord Grey to Lord Wellesley, 27th May, on the subject of some words in Mr. Canning's Minute, No. I, of the Communication to Lord Liverpool.

Portman Square, May 27th, 1812.

My lord; I have the honour of returning the papers which your lordship was so good as to put into my hands this morning.

I observe a material difference between the terms in which the two principles, proposed as the basis of a new administration, are stated in Mr. Canning's minute, and in that sent to lord Grenville and me by your lordship. I think it necessary to call your lordship's attention to this circumstance, because if these discussions should proceed further, it may become of the utmost importance.

I am, with the highest regard, my lord, your lordship's very faithful and humble servant, GREY.

No. XIII.

Lord Wellesley to Lord Grey, 28th May, transmitting an explanatory Paper, No. XIV, signed by Lord Wellesley.

Apsley House, 28th May, 1812.

My lord; I should have returned an earlier acknowledgment of the honour of your lordship's letter of yesterday, had I not thought it necessary to see Mr. Canning, before I troubled your lordship with my answer to your observations on our respective minutes.

Having carefully examined those papers, and compared them with our view of the points, to which they refer, we have drawn the enclosed paper for your lordship's information, and have authenticated it by our respective signatures.

I have the honour to be, with the greatest respect, my lord, your lordship's faithful and humble servant, WELLESLEY.

No. XIV.

PAPER signed by Lord Wellesley and Mr. Canning, and transmitted to Lord Grey, in reply to Lord Grey's Letter, No. XII.

The variance in point of phrase in the two propositions as stated by lord Wellesley and Mr. Canning, in their minutes of conference, arises from this circumstance, that lord Wellesley and Mr. Canning went to their respective conferences without having thought it necessary previously to reduce, into a written form, the communications, which they were to make, being in full possession of each others sentiments upon the subject of them.

The two minutes were written by them as containing the substance of their respective communications; that of Mr. Canning in lord Liverpool's presence; that of lord Wellesley immediately after his return from lord Grey.

There does not appear to lord Wellesley and Mr. Canning, to be any substantial variance in the first proposition.

The word "early" in Mr. Canning's minute, might be exchanged for the word "immediate", used by lord Wellesley, without, in any degree, altering the sense; as with a motion actually pending in the House of Commons, which (but for the events which have recently taken place) would have come on this very day, the object of which was to compel the executive government to take the subject of the Catholic question into consideration, it cannot be necessary to say, that Mr. Canning has no wish to defer that consideration; on the other hand, consideration by the executive government is the object which it is lord Wellesley's intention to recommend; nor does he conceive any further parliamentary proceeding to be necessary or practicable, this session, than such as might be sufficient to insure, either by compulsion upon a hostile administration, or by pledge from a friendly one, the consideration of the question during the recess, with a view to its being brought before parliament, by the recommendation of the crown, early in the ensuing session.

A committee to enquire into the state of the laws, has been already negatived in both Houses, this session. A "conciliatory adjustment," of the claims of the Irish Catholics is the object which lord Wellesley and Mr. Canning have equally at heart; and it enters equally into both their views that to be "conciliatory," that adjustment must be so framed as to embrace the interests and opinions of the English Catholics also, and to obtain the enlightened and deliberate consent of the Protestants of both countries.

They would think any adjustment very imperfect, which, instead of extinguishing discontent, only transferred it from the Catholic to the Protestant.

But they concur in entertaining a confident belief, that the great purpose of securing the peace of the empire, may be best answered not by giving a triumph to any one party, but by reconciling all.

In the substance of the second proposition there is no variance as to any practical and prospective purpose, though undoubtedly there is, and it is natural there should be, some as to the past, arising from the difference of Mr. Canning's and lord Wellesley's respective situations.

When Mr. Canning says, that the peninsular war is to be carried on "with the best means of the country," he intends the greatest scale of exertion, which the means of the country may be found capable of sustaining.

If lord Wellesley's expression, "a scale of adequate vigour," may be construed to imply the proposition, that the late exertions of this country have not been proportioned to the great object of the war, or have not been duly distributed, or apportioned, this proposition Mr. Canning certainly does not intend either to affirm, or to deny; simply, because, not having been in the government during the last two years, he has not sufficient information to be able to pronounce an opinion, whether the exertions of those two years have or have not been below the proper scale, or have been well or ill administered; nor how far they may now admit of being extended, or of being more judiciously applied.

He concurs, however, entirely with lord Wellesley in wishing to extend them to the utmost power of the country, and to apply them in the manner best calculated to answer their end. Wellesley.
George Canning.

No. XV.

Lord Grey's Reply to Lord Wellesley, May 29th.

Portman Square, May 29th, 1812.

My Lord; I had last night the honour of receiving your lordship's letter, enclosing a paper explanatory of the difference which I had remarked between your lordship's minute and Mr. Canning's, together with a copy of the latter.

I beg your lordship to be assured that in the observation, to which I had thought it necessary to call your lordship's attention, I could have no object but that of preventing the possibility of any future misunderstanding. We had not entered into any explanation, (which under the circumstances of the moment would perhaps have been premature,) of the details of the conduct necessary to give effect to the first of the propositions, offered by your lordship as the basis of a new administration. From the difference of the terms used by Mr. Canning in stating that proposition, I was apprehensive that it might be his opinion, in concurrence with your lordship's, that no parliamentary proceeding, with reference to the claims of the Catholics, should take place during the present session. To such an opinion I could not have assented; and I felt it to be due both to your lordship and Mr. Canning, immediately to draw your attention to a point, on which it was so desirable, that there should be a clear understanding between us.

I hope it is unnecessary for me to state, that I can look at the situation of the Catholics (both Irish and English) with no other view than that of the public interest; and that nothing can be further from my disposition or my intention, in a matter of such pre-eminent importance, than to give to any one party a triumph at the expence of another. But I do not conceive that the repeal of the disabilities, of which the Catholics complain, can give any just cause of discontent to their Protestant fellow subjects; and I am strongly of opinion, that the efficacy of that measure must in a great degree depend on its being carried into effect with the least possible delay, and with the clearest demonstrations of a conciliatory and confiding spirit. Under this impression, I should very reluctantly abandon the hope of passing a Bill for such repeal, even during the present session; but if this cannot be done, I hold it to be indispensable, that the most distinct and authentic pledge should be given, of the intention, both of the executive government and of parliament, to take this matter up as one of the first measures of the next. To a proceeding of this nature, from the paper signed by your lordship and Mr. Canning, I am led to hope that you would not be adverse.

As to the second proposition, the difference which I had observed was much less important. It is impossible to reduce a question of this nature to any fixed principle. Whatever we can say, with our present means of information, must necessarily be general and inconclusive. The whole subject being left open to future consideration and decision, I can have no hesitation in subscribing to the proposition, that, if it should be found expedient to continue the exertions we are now making in the peninsula, they should be conducted in the manner best calculated to answer their end.

I have, I fear, troubled your lordship much more than is necessary under the circumstances of our present situation, and I will only add, that if we should be called upon to pursue these considerations in their practical details, it will be my most anxious wish, that no difference of opinion may be found to exist between us respecting the conduct to be adopted by a government equally solicitous for the internal peace and harmony of the empire, and for the prosecution of military operations in such a mode as may appear most conducive to our ultimate security. Lord Grenville, to whom I have communicated your lordship's letter, and its enclosures, desires me to express his cordial concurrence in this wish.

I have the honour to be, with the highest regard, my lord, your lordship's very faithful humble servant, GREY.

No. XVI.

Lord Wellesley's REPLY to Lord Grey, May 29th, 1812.

Apsley House, 29th May, 1812.

My lord; I request your lordship to accept my sincere thanks for your letter of this day's date.

In the actual state of affairs, it might be deemed premature to enter into any more particular discussions, than those already submitted to your lordship on the points, to which you have adverted with so much perspicuity, ability, and candour.

But I cannot omit this opportunity of assuring your lordship, that I have derived from the sentiments, so justly expressed in your letter, a firm expectation, that if the advice, which I have humbly offered to the Prince Regent should be ultimately approved, a happy prospect will open to the country of recovering internal peace, and of prosecuting the war with success, under an administration worthy of the confidence of the Prince, and of the people, and equal to the arduous charge of public affairs, amidst all the difficulties and dangers of the present crisis.

I have the honour to be, with the highest respect, my lord, your lordship's most faithful and obedient servant,

WELLESLEY.

No. XVII.

MINUTE of a Communication made by Lord Wellesley to Lord Grey, at Lord Grey's House, June 1st, 1812.

Lord Wellesley stated that he had, on that morning, received full authority from the Prince Regent to form an administration under his Royal Highness's commands; and that he was specially authorised to communicate with lords Grey and Grenville on the subject.

That his Royal Highness entertained no wish to exclude from the proposed administration, any person, or description of persons, who could unite in the principles on which the administration was to be founded.

That the two propositions stated in lord Wellesley's minute of May 23d, and subsequently explained in the letters which had passed between lord Wellesley and lord Grey, of the dates of the 27th, 28th, and 29th of May, 1812, were intended by his Royal Highness to constitute the foundation of his administration.

That his Royal Highness had signified his pleasure, that lord Wellesley should conduct the formation of the administration in all its branches, and should be first commissioner of the Treasury; and that lord Moira, lord Erskine, and Mr. Canning should be members of the cabinet.

That it was probable, that a cabinet, formed on an enlarged basis, must be extended to the number of twelve or thirteen members: that the Prince Regent wished lords Grey and Grenville, on the part of their friends, to recommend for his Royal Highness's approbation the names of four persons, (if the cabinet should consist of twelve) and of five persons, (if the cabinet should consist of thirteen) to be appointed by his Royal Highness to fill such stations in his councils as might hereafter be arranged.

That his Royal Highness left the selection of the names to lords Grey and Grenville without any exception or personal exclusion.

That in completing the new arrangement, the Prince Regent has granted to lord Wellesley, entire liberty to propose for his Royal Highness's approbation, the names of any persons now occupying stations in his Royal Highness's councils, or of any other persons.

That if the proposition made to lords Grey and Grenville, should be accepted as the outline of an arrangement, all other matters would be discussed with the most anxious solicitude to promote harmony and general accommodation.

WELLESLEY.

No. XVIII.

Lord Grey to Lord Wellesley, dated 2d June, on the subject of No. XVII.

Camelford House, June 2d, 1812.

My lord; I lost no time in sending for lord Grenville, and have communicated to him, since his arrival, the proposal made to me yesterday by your lordship.

We have felt the necessity of a further

communication with our friends, and this, I fear, will make it impossible for us to send our final answer to the minute which I had the honour of receiving from your lordship yesterday evening, till a late hour to-night, or early to morrow morning.

To obviate, however, as far as I can, any inconvenience which might arise from this delay, I think it right to state to your lordship, that the feeling which I yesterday expressed to you, as to the nature of the proposal which you were authorised by the Prince Regent to make to lord Grenville and me, has been confirmed by subsequent reflection, as well as by the opinion of lord Grenville, and, indeed, of every person with whom I have hitherto had an opportunity of consulting.

I have the honour to be, with the highest regard, my lord, your lordship's very faithful, humble servant, GREY.

No. XIX.

Lord Grey's and Lord Grenville's REPLY, (June 3d) to Lord Wellesley's Minute of the 1st of June.

Camelford House, June 3d, 1812.

My lord; we have considered, with the most serious attention, the minute which we have had the honour to receive from your lordship; and we have communicated it to such of our friends as we have had the opportunity of consulting.

On the occasion of a proposal made to us under the authority of his royal highness the Prince Regent, we wish to renew, in the most solemn manner, the declaration of our unfeigned desire to have facilitated, as far as was in our power, the means of giving effect to the late vote of the House of Commons, and of averting the imminent and unparalleled dangers of the country.

No sense of the public distress and difficulty, no personal feelings of whatever description, would have prevented us, under such circumstances, from accepting, with dutiful submission, any situations in which we could have hoped to serve his Royal Highness usefully and honourably.

But it appears to us, on the most dispassionate reflection, that the proposal stated to us by your lordship cannot justify any such expectation.

We are invited not to discuss with your lordship, or with any other public men, according to the usual practice in such cases, the various and important considerations, both of measures and of arrangements, which belong to the formation of a new government in all its branches; but to recommend to his Royal Highness a number, limited by previous stipulation, of persons willing to be included in a cabinet, of which the outlines are already definitely arranged.

To this proposal we could not accede without the sacrifice of the very object which the House of Commons has recommended, the formation of a strong and efficient administration. We enter not into the examination of the relative proportions, or of the particular arrangements which it has been judged necessary thus previously to establish. It is to the principle of disunion and jealousy that we object. To the supposed balance of contending interests in a cabinet, so measured out by preliminary stipulations. The times imperiously require an administration united in principle, and strong in mutual reliance, possessing also the confidence of the crown, and assured of its support in those healing measures, which the public safety requires, and which are necessary to secure to the government the opinion and affections of the people.

No such hope is presented to us by this project, which appears to us equally new in practice, and objectionable in principle. It tends, as we think, to establish within the cabinet itself a system of counteraction, inconsistent with the prosecution of any uniform and beneficial course of policy.

We must therefore request permission to decline all participation in a government constituted upon such principles. Satisfied, as we are, that the certain loss of character, which must arise from it to ourselves, could be productive only of disunion, and weakness in the administration of the public interests.—We have the honour to be, my lord, your lordship's most faithful, and most obedient, humble servants,
GREY,
GRENVILLE.

No. XX.

EXPLANATORY LETTER from Lord Moira to Lord Grey, June 3rd, on the subject of Lord Wellesley's Minute, No. XVII.

June 3rd, 1812.

My dear lord; the answer which you and lord Grenville have returned to the proposal made by lord Wellesley, seems to throw an oblique imputation upon me: therefore I intreat your re-consideration of your statement, as far as it may convey that impeachment of a procedure in which I was involved. You represent the proposition for an arrangement submitted to you as one calculated to found a cabinet upon a principle of counteraction. When the most material of the public objects, which were to be the immediate ground of that cabinet's exertion, had been previously understood between the parties, I own it is difficult for me to comprehend what principle of counteraction could be introduced. If there be any ambiguity which does not strike me, in lord Wellesley's last paper, surely the construction ought to be sought in the antecedent communication; and I think the basis on which that communication had announced the intended cabinet to stand, was perfectly clear.

With regard to the indication of certain individuals, I can assert that it was a measure adopted through the highest spirit of fairness to you and your friends. Mr. Canning's name was mentioned, because lord Wellesley would have declined office without him; and it was a frankness to apprize you of it: and lord Erskine's and mine were stated with a view of showing, that lord Wellesley, so far from having any jealousy to maintain a preponderance in the cabinet, actually left a majority to those who had been accustomed to concur upon most public questions; and he specified lord Erskine and myself, that you might see the number submitted for your exclusive nomination was not narrowed by the necessity of advertence to us. The choice of an additional member of the cabinet left to you, must prove how undistinguishable we consider our interests and your's, when this was referred to your consideration as a mere matter of convenience, the embarrassment of a numerous cabinet being well known. The reference to members of the late cabinet, or other persons, was always to be coupled with the established point, that they were such as could concur in the principles laid down as the foundation for the projected ministry. And the statement was principally dictated by the wish to shew, that no system of exclusion could interfere with the arrangements which the public service might demand. On the selection of those persons, I aver the opinions of you, lord Grenville, and the others whom you might bring forward as members of the cabinet, were to operate as fully as our own, and this was to be the case also with regard to subordinate offices. The expression, that this was left to be proposed by lord Wellesley, was intended to prove that his Royal Highness did not, even in the most indirect manner, suggest any one of those individuals. It is really impossible that the spirit of fairness can have been carried farther than has been the intention in this negociation. I therefore lament most deeply, that an arrangement so important for the interests of the country should go off upon points which I cannot but think wide of the substance of the case.

MOIRA.

No. XXI.

Lord Wellesley to Lord Moira, approving Lord Moira's LETTER, (No. XX.) to Lord Grey, of the 3d June.

Apsley House, June 3d, 1812.

My dear lord; I return the copy of your lordship's letter to lord Grey. This communication to lord Grey is most useful, and the substance of it is admirably judicious, clear, and correct.

My declaration, this day, in the House of Lords, was indispensably necessary to my public and private honour; both of which would have been involved, if I had not, in full parliament, announced, that I had resigned the commission, with which his Royal Highness had charged me.

Believe me, &c. WELLESLEY.

No. XXII.

Lord Grey's REPLY to Lord Moira's LETTER (No. XX.) of the 3d of June.

Portman-square, 4th June, 1812.

My dear lord; being obliged to go immediately from the House of Lords to a dinner party, and afterwards to a meeting at lord Grenville's, which occupied me till a late hour, it was not in my power to answer your letter last night.

You must be too well aware of my personal feelings towards you, of my esteem for your character, and of my confidence in your honour, to entertain any opinion respecting your conduct, inconsistent with those sentiments. Nothing, therefore, could be more remote from my intention, and I am desired by lord Grenville, to whom I have shewn your letter, to give you the same assurance on his part, than to cast any imputation whatever on you, as to the part you have borne in the proceedings which have lately taken place, for the formation of a new administration. We know with how sincere an anxiety for the honour of the Prince, and for the public interest, you have laboured to effect that object.

Whatsoever objections we may feel, therefore, to the proposal which has been made to us, we beg they may be understood as having no reference whatever to any part of your conduct. That proposal was made to us in a formal and authorized communication from lord Wellesley, both personally to me, and afterwards in a written minute. It appeared to us to be founded on a principle to which we could not assent, consistently with our honour, and with a due sense of public duty. The grounds of this opinion have been distinctly stated in our joint letter to lord Wellesley, nor can they be altered by a private explanation; which, though it might lessen some obvious objections to a part of the detail, still leaves the general character of the proceeding unchanged. Nothing could be more painful to me than to enter into any thing like a controversial discussion with you, in which I could only repeat more at large the same feelings and opinions which, in concurrence with lord Grenville, I have already expressed in our formal answer. I beg only to assure you, before I conclude, that I have felt very sensibly, and shall always have a pleasure in acknowledging your personal kindness to me in the course of this transaction.

I am, with every sentiment of true respect and attention, my dear lord, your's most faithfully, Grey.

No. XXIII.

Lord Wellesley's Reply to the Letter (No. XIX.) from Lords Grey and Grenville, of the 3d of June.

Apsley House, June 3d, 1812.

My lords; I received the letter, by which I was honoured from your lordships this morning, with the most sincere regret; and I have discharged the painful duty of submitting it to his royal highness the Prince Regent. It would have afforded me some consolation, if the continuance of the authority confided to me by his Royal Highness had enabled me, under his Royal Highness's commands, to offer to your lordships a full and candid explanation of those points in my minute of the 1st of June, which your lordships appear to me to have entirely misapprehended. But as his Royal Highness has been pleased to intimate to me his pleasure, that the formation of a new administration should be entrusted to other hands, I have requested permission to decline all further concern in this transaction.

I remain, however, extremely anxious to submit to your lordships, some explanatory observations respecting the communications which I have had the honour to make to you; and I trust that your lordships will indulge me with that advantage, although I can no longer address you under the sanction of the Prince Regent's authority.

I have the honour to be, with great respect, my lords, your most faithful, and obedient servant, Wellesley.

No. XXIV.

Lord Wellesley to Lord Grey, on the same subject, dated 4th June.

Apsley House, June 4th, 1812.

My lord; when I applied yesterday to your lordship and lord Grenville, for permission to submit to you some explanatory observations respecting the communications which I have had the honour to make to you by the authority of the Prince Regent, I was not aware that lord Moira had addressed a letter to your lordship of the same nature as that which I was desirous of conveying to you.

The form of such a letter, either from lord Moira or me, must have been private, as neither of us possessed any authority from the Prince Regent, to open any further communication with your lordship, or with lord Grenville; a circumstance which I deeply lament, under a sanguine hope, that additional explanations, sanctioned by authority, might have removed the existing obstacles to an amicable arrangement.

Lord Moira has sent me a copy of his letter* to your lordship of yesterday's date; and as it contains an accurate, clear, and candid statement of the real objects of the proposal, which I conveyed to you, it appears to me to have furnished you with as full an explanation as can be given in an unauthorised paper. Under these circumstances, it might be deemed superfluous trouble to your lordship and to lord Grenville, to solicit your attention to a private letter from me; although I should be most happy if any opportunity were afforded, of renewing a conciliatory intercourse, under the commands of the Prince Regent, with a view to attain the object of our recent communications.—I have the honour to be, with great respect, my lord,

---

* No. XX.

your lordship's most faithful and humble servant,
WELLESLEY.

No. XXV.

Lord Grey's REPLY to Lord Wellesley's Letter, No. XXIV.

Portman Square, June 4th, 1812.

My lord; I have had the honour of receiving your lordship's letter of this day's date.

As lord Moira has communicated to your lordship the copy of his letter to me, I take it for granted that you have in the same manner been put in possession of my answer, which contains all that I can say with respect to the explanation of the proposal made by your lordship to lord Grenville and myself.

I was perfectly aware, that lord Moira's letter could in no degree be considered as an authorised communication, but that it was simply a private explanation offered for the purpose of removing the objections, which had been stated by lord Grenville and me to the proposal contained in the written minute transmitted to us by your lordship, under the authority of the Prince Regent. But though it could not vary the effect of that minute in my opinion, I was happy to receive it as an expression of personal regard, and of that desire, which we readily acknowledge both in your lordship and lord Moira, and which is reciprocal on the part of lord Grenville and myself, that no difference of opinion on the matter in question, should produce on either side any personal impression, which might obstruct the renewal of a conciliatory intercourse, whenever a more favourable opportunity shall be afforded for it.—I have the honour to be, with the highest regard, my lord, your lordship's very faithful humble servant,

GREY.

No. XXVI.

Lord Moira to Lords Grey and Grenville, proposing an Interview with them, 5th June.

Lord Moira presents his best compliments to earl Grey and lord Grenville. Since lord Wellesley has declared his commission from the Prince Regent to be at an end, lord Moira, (as being honoured with his Royal Highness's confidence) ventures to indulge the anxiety he feels, that an arrangement of the utmost importance for the interests of the country should not go off on any misunderstanding.

He therefore intreats lord Grey and lord Grenville to advert to the explanatory letter* of the third of June, written by him to the former. And if the dispositions therein expressed shall appear to them likely to lead, upon conference, to any advantageous result towards co-operation in the Prince's service, he will be happy to have an interview with them.

Should the issue of that conversation prove such as he would hope, his object would be to solicit the Prince Regent's permission to address them formally. He adopts this mode to preclude all difficulties in the outset. Let him be permitted to remark, that, the very urgent pressure of public affairs renders the most speedy determination infinitely desirable.

June 5, 1812.

N. B. This was written in the presence of the duke of Bedford, in consequence of conversation with his grace; and was by him carried to lord Grey.

No. XXVII.

NOTE from Lords Grey and Grenville, declining unauthorized discussions, 5th June.

House of Lords,
June 5, 1812.

We cannot but feel highly gratified by the kindness of the motive, on which lord Moira acts. Personal communication with him will always be acceptable and honourable to us. But we hope he will be sensible, that no advantage is likely to result from pursuing this subject by unauthorised discussions, and in a course different from the usual practice.

Motives of obvious delicacy must prevent our taking any step towards determining the Prince Regent to authorize lord Moira to address us personally. We shall always receive with dutiful submission his Royal Highness's commands, in whatever manner, and through whatever channel, he may be pleased to signify them, and we trust we shall never be found wanting in zeal for his Royal Highness's service, and for the public interest. But we cannot venture to suggest to his Royal Highness, through any other person, our opinions, on points in which his Royal Highness is not pleased to require our advice.

GREY,
GRENVILLE.

---

* No. XX.

No. XXVIII.

Lord Moira to Lords Grey and Grenville, informing them, that he has the Prince Regent's authority to address them, and requesting to know, when and where he can see them.

Lord Moira presents his best compliments to lord Grey and lord Grenville.

Discouraged, as he unavoidably must be, he yet cannot reconcile it to himself to leave any effort untried: and he adopts their principle for an interview, though he doubts if the desired conclusion is likely to be so well advanced by it, as would have been the case in the mode suggested by him.

He has now the Prince Regent's instructions to take steps towards the formation of a ministry; and is authorised especially to address himself to lords Grey and Grenville. It is, therefore, his request to know, when and where he can wait upon them. He would wish to bring lord Erskine with him.

June 6, 1812. 11, *Forenoon.*

No. XXIX.

MINUTE of a Conversation between Lord Moira, and Lords Grey and Grenville, at which Lord Erskine was present.

St. James's Place,
June 6th, 1812.

Lord Moira stated to lord Grey and lord Grenville, that he was authorized by the Prince Regent, to consult with them on the formation of a new government. And satisfactory explanations having taken place between them, respecting such measures as appeared to be of the greatest urgency at the present moment, more especially with reference to the situation of his Majesty's Roman Catholic subjects, and the differences now unhappily subsisting with America; and that lord Moira had received this commission without any restriction or limitation whatever being laid by the Prince, on their considering any points which they judged useful for his service; they expressed their satisfaction with the fairness of this proposal, and their readiness to enter into such discussions as must precede the details of any new arrangement. As a preliminary question, which appeared to them of great importance, they thought it necessary immediately to bring forward to prevent the inconvenience and embarrassment of the further delay which might be produced, if this negociation should break off in a more advanced state, they asked, "Whether this full liberty extended to the consideration of new appointments to those great offices of the houshold, which have been usually included in the political arrangements made on a change of administration; intimating their opinion, that it would be necessary to act on the same principle on the present occasion."

Lord Moira answered, "That the Prince had laid no restriction upon him in that respect, and had never pointed in the most distant manner at the protection of those officers from removal; that it would be impossible for him (lord Moira) however, to concur in making the exercise of this power positive and indispensable, in the formation of the administration, because he should deem it on public grounds peculiarly objectionable."

To this lord Grey and lord Grenville replied, they also acted on public grounds alone, and with no other feeling whatever than that which arose from the necessity of giving to a new government that character of efficiency and stability, and those marks of the constitutional support of the crown, which were required to enable it to act usefully for the public service; and that on these grounds it appeared to them indispensable, that the connection of the great offices of the court, with the political administration, should be clearly established in its first arrangements.

A decided difference of opinion as to this point having been thus expressed on both sides, the conversation ended here, with mutual declarations of regret.

Nothing was said on the subject of official arrangements, nor any persons proposed on either side to fill any particular situations.

B. and C. Two Letters (which passed between Lords Moira, and Grey) subjoined for the purpose of throwing light on the ground of part of these Transactions.

(COPY) B.

May 31st, 1812.

My dear lord; a just anxiety not to leave any thing subject to misunderstanding, must excuse me if I am troublesome to you. Since I quitted you, the necessity of being precise in terms has occurred to me: and, although I think I cannot have mistaken you, I wish to know if I am accurate in what I apprehend you to have said. I understood the position, stated by you as having been what you advanced in the House of Lords, to be this, "That pledges had been given to the Catholics, a departure from which rendered their present disappointment more galling; and that you said this in the hearing of persons who could contradict you if you were inaccurate." Just say whether I have taken your expression correctly or not. Believe me, &c. &c.

MOIRA.

C.

Holland House, May 31st, 1812.

My dear lord; I cannot sufficiently thank you for your kind anxiety to procure an accurate statement of the words spoken by me in the House of Lords. It is difficult to remember precise expressions so long after they were spoken; but I am sure I cannot be far wrong in stating the substance of what I said, as follows:

I was speaking on the subject of the Irish Catholics, and particularly on the charge of intemperate conduct which had been made against them. I stated, that great allowances were to be made for this, considering their repeated disappointments; and I cited, as instances of these, the recall of lord Fitzwilliam, and the Union. I then said, that the most distinct and authentic pledges had been given to them, of the Prince's wish to relieve them from the disabilities of which they complained; that I spoke in the hearing of persons who would contradict me if what I said was unfounded, and who would, I was sure, support its truth if questioned; that now, when the fulfilment of these pledges was confidently expected, to see an administration continued in power, which stood on the express principle of resisting their claims, was, perhaps, the bitterest disappointment they had yet experienced; and that it was not surprising, if, under such circumstances, they felt, and acted, in a way that all well wishers to the peace of the empire must regret.

This I give as the substance, and by no means as a correct repetition of the particular expressions used by me; and this statement I can neither retract, nor endeavour to explain away. If, in consequence of it, the Prince feels a strong personal objection to me, I can only repeat what I have already said to you, that I am perfectly ready to stand out of the way; that my friends shall have my full concurrence and approbation in taking office without me, and my most cordial support in the government of the country, if their measures are directed, as I am sure they must always be, by the principles on which we have acted together.

I write this from lord Holland's, in a great hurry, and in the middle of dinner; but I was unwilling to defer, even for a minute, to answer an enquiry, which I feel to be prompted by so friendly a solicitude for me. I have not the means of taking a copy of this letter. I shall therefore be obliged to you to let me have one; and I am sure, if, upon recollection, I shall think it necessary to add any thing to what I have now said, you will allow me an opportunity of doing so. I am, with the sincerest regard, my dear lord, your's very faithfully,

GREY.

LIST OF PUBLIC ACTS,

Passed in the Sixth Session of the Fourth Parliament of the United Kingdom of Great Britain and Ireland.—52 Geo. III.—A. D. 1812.

---

1. An Act for continuing to his Majesty certain duties on malt, sugar, tobacco, and snuff, in Great Britain; and on pensions, offices, and personal estates in England; for the service of the year 1812.
2. To permit sugar, the produce of Martinique and other conquered islands in the West Indies, to be taken out of warehouse on the payment of the like rate of duty for waste as British plantation sugar.
3. To revive and continue until the 31st day of December 1812, so much of an Act made in the 49th year of his present Majesty, to prohibit the distillation of spirits from corn or grain, in the united kingdom, as relates to Great Britain; and to revive and continue another Act made in the 49th year aforesaid, to suspend the importation of British or Irish-made spirits into Great Britain or Ireland respectively; and for granting certain duties on worts or wash made from sugar during the prohibition of distillation from corn or grain in Great Britain.
4. For raising the sum of 10,500,000*l.* by exchequer bills, for the service of Great Britain for the year 1812.
5. For raising the sum of 1,500,000*l.* by exchequer bills, for the service of Great Britain for the year 1812.
6. For making provision for the better support of his Majesty's household, during the continuance of his Majesty's indisposition.
7. For granting to his Majesty a certain sum for defraying the expences incident to the assumption of the personal exercise of the royal authority by his royal highness the Prince Regent in the name and on the behalf of his Majesty.
8. For the regulation of his Majesty's household, and enabling her Majesty the Queen to meet the increased expence to which her Majesty may be exposed during his Majesty's indisposition: and for the care of his Majesty's real and personal property; and to amend an Act of the last session of parliament, to provide for the administration of the royal authority during his Majesty's illness.
9. To repeal an Act of the 25th year of his present Majesty, for better securing the duties on coals, culm, and cinders; and making other provisions in lieu thereof; and for requiring ships in the coal trade to be measured.
10. To amend an Act of the 50th year of his present Majesty, for granting a sum of money to be raised by exchequer bills, to be advanced and applied in the manner and upon the terms therein mentioned for the relief of the united company of merchants of England trading to the East Indies.
11. To repeal an Act passed in the 39th and 40th year of his present Majesty, for establishing certain regulations in the offices of the House of Commons, and to establish other and further regulations in the said offices.
12. For extending the laws for preventing the embezzlement of his Majesty's naval, ordnance, and victualling stores to Ireland.
13. To alter and amend an Act, passed in the 51st year of the reign of his present Majesty, for the relief of certain insolvent debtors in England.
14. For granting annuities to discharge certain exchequer bills.
15. For further continuing, until the 25th day of March 1813, certain bounties and drawbacks on the exportation of sugar from Great Britain; and for suspending the countervailing duties and bounties on sugar, when the duties imposed by an Act of the 49th year of his present Majesty shall be suspended; and for continuing so much of an Act of the 47th year of his present Majesty as allows a bounty on raw sugar exported until the 25th day of March 1813.
16. For the more exemplary punishment of persons destroying or injuring any stocking or lace frames, or other machines or engines used in the frame-work knitted manufactory, or any articles or goods in such frames or machines; to continue in force until the 1st day of March 1814.
17. For the more effectual preservation of the peace, by enforcing the duties of watching and warding, until the 1st day of March 1814, in places where disturbances prevail or are apprehended.
18. For making perpetual an Act made in the 12th year of his present Majesty, for encouraging the manufacture of leather, by lowering the duty payable upon the importation of oak bark, when the price of such bark shall exceed a certain rate.
19. To amend an act of the last session of parliament, for granting to his Majesty a sum of money to be raised by lotteries.
20. To continue several laws relating to permitting the importation of tobacco into Great Britain from any place whatever, and to permitting goods and commodities to be imported into and exported from Nova Scotia and New Brunswick in any ship or

vessel, until the 25th day of March 1815; and to the amending an Act for consolidating and extending the several laws in force for allowing the importation of certain goods and merchandize into and from certain ports in the West Indies, until the 25th day of March 1814.

21. To render valid and effectual certain oaths administered to and taken by certain members of the House of Commons before deputies of the late lord steward of his Majesty's household, during the vacancy of the said office.

22. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

23. For the regulating of his Majesty's royal marine forces while on shore.

24. For raising the sum of 6,789,625*l.* by way of annuities.

25. To continue, until the 25th day of March 1813, an Act for regulating the drawbacks and bounties on the exportation of sugar from Ireland.

26. To indemnify such persons in the united kingdom as have omitted to qualify themselves for offices and employments, and for extending the times limited for those purposes respectively, until the 25th day of March 1813; and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same on or before the 1st day of Hilary term 1813.

27. For enabling the wives and families of soldiers embarked in Ireland for foreign service to return to their homes.

28. To amend an Act of the last session of parliament, making provision for the families of militia men in Ireland.

29. To amend the laws relating to the militia of Ireland.

30. To provide for regulating the warehousing of spirits distilled from corn in Ireland, for exportation, without payment of the duty of excise chargeable thereon; and to transfer the custody of spirits so warehoused, from the commissioners of customs and port duties in Ireland, and their officers, to the commissioners of inland excise and taxes in Ireland, and their officers.

31. To repeal an Act made in the 39th year of queen Elizabeth, intituled An Act against lewd and wandering persons pretending themselves to be soldiers or mariners.

32. For the relief of infant suitors in courts of equity, entitled to stock or annuities in any of the public or other funds, transferable at the bank of England.

33. To continue until the expiration of six months after the conclusion of the present war, an Act made in the 46th year of his present Majesty, for permitting the importation of masts, yards, bowsprits, and timber for naval purposes, from the British colonies in North America, duty free.

34. For altering and amending an Act made in the 32nd year of the reign of his late Majesty king George the second, for the relief of debtors, with respect to the imprisonment of their persons, and of an Act made in the 39th year of his present Majesty, for making perpetual an Act made in the 33d year of his present Majesty for the further relief of debtors; and for other purposes in the said Act expressed.

35. To prohibit all intercourse between the island of Jamaica and certain parts of the island of Saint Domingo.

36. For granting additional duties on mahogany not imported from the bay of Honduras, and for reducing the duties on certain species of wood imported from the said bay.

37. For settling and securing a certain annuity on earl Wellington and the two next persons to whom the title of earl Wellington shall descend, in consideration of his eminent services.

38. For amending the laws relating to the local militia in England.

39. For the more effectual regulation of pilots, and of the pilotage of ships and vessels on the coast of England.

40. To make provision for a limited time respecting certain grants of offices.

41. To amend and continue until the 25th day of March 1813, an Act of the 45th year of his present Majesty, for appointing commissioners to enquire into the public expenditure, and the conduct of the public business in the military departments therein mentioned; and another Act, of the 51st year of his present Majesty, for continuing and extending the same to public works executed by the office of works and others.

42. For amending the laws relating to the allowance of the bounties on pilchards exported until the 24th day of June 1819.

43. For increasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.

44. For the erection of a penitentiary house for the confinement of offenders convicted within the city of London and county of Middlesex; and for making compensation to Jeremy Bentham esquire, for the non-performance of an agreement between the said Jeremy Bentham and the lords commissioners of his Majesty's treasury, respecting the custody and maintenance of convicts.

45. To suspend the exportation from Ireland to parts beyond the seas of spirits made or distilled in Ireland from corn or grain, until the 31st day of December 1812.

46. To grant to his Majesty duties upon spirits made or distilled in Ireland, and to allow certain drawbacks on the exportation thereof; and to repeal certain bounties given to persons licensed to sell spirituous liquors, wine, beer, and ale by retail in Ireland.

47. To revive and continue until the 31st day of December 1812, so much of an Act made in the 49th year of his present Majesty to

prohibit the distillation of spirits from corn or grain in the united kingdom, as relates to Ireland.

48. To provide for the regulating and securing the collection of the duties on spirits distilled in Ireland from corn, malted or unmalted, in stills of and under 100 gallons content.

49. To continue the period for purchasing the legal quays in the port of London, and to enable the lords of the treasury to purchase buildings in Thames-street, for the purpose of erecting a new custom house.

50. To continue until three months after the commencement of the next session of parliament, and amend an Act of the last session of parliament, for making more effectual provision for preventing the current gold coin of the realm from being paid or accepted for a greater value than the current value of such coin; for preventing any note or bill of the governor and company of the bank of England from being received for any smaller sum than the sum therein specified; and for staying proceedings upon any distress by tender of such notes; and to extend the same to Ireland.

51. To provide for the more speedy examination, controuling, and finally auditing the military accounts of Ireland.

52. To provide for the speedy and regular examination and audit of the public accounts of Ireland: and to repeal certain former Acts relating thereto.

53. For extending the time in which coffee of the British plantations may be sold by auction without payment of the duty on auctions; and for making an allowance of such duty on coffee sold for which the said duty has not been paid.

54. For continuing, until the 1st day of August 1813, several laws relating to the duties on glass made in Great Britain.

55. To prevent foreign goods of certain descriptions being brought from the united states of America into Canada; and to allow a greater quantity of worsted yarn to be exported from Great Britain to Canada.

56. To explain and amend an Act passed in the 50th year of his present Majesty, for explaining and amending an Act for continuing and making perpetual several duties of 1*s.* 6*d.* in the £. on offices and employments of profit, and on annuities, pensions, and stipends.

57. To enable his Majesty to settle on their royal highnesses the princesses Augusta Sophia, Elizabeth, Mary, and Sophia, an annuity of 36,000*l.* instead of the annuity settled on them by an Act passed in the 18th year of his present Majesty.

58. To grant to his Majesty certain duties of excise on tobacco to be manufactured in Ireland; and to allow certain drawbacks in respect thereof, in lieu of former duties of excise and drawbacks: and to provide for the regulating and securing the collection of the said duties.

59. For allowing on the exportation of manufactured plate for the private use of persons residing or going to reside abroad, the same drawback as is now allowed on the exportation of such plate by way of merchandize.

60. For altering the mode of payment of the superannuation allowances in the department of the customs in Scotland.

61. To grant an excise duty on spirits made or distilled from sugar in Ireland, during the prohibition of distillation from corn or grain there, in lieu of the excise duty now chargeable thereon, and to allow a drawback on the export thereof.

62. To enable coadjutors to archbishops and bishops in Ireland to execute the powers of archbishops and bishops respectively.

63. For more effectually preventing the embezzlement of securities for money and other effects, left or deposited for safe custody, or other special purpose, in the hands of bankers, merchants, brokers, attornies, or other agents.

64. For extending the provisions of an Act of the 30th year of king George the second, against persons obtaining money by false pretences, to persons so obtaining bonds and other securities.

65. To allow the use of sugar in brewing beer in Great Britain.

66. To explain and amend an Act of the 50th year of his present Majesty, to regulate the taking of securities in all offices in respect of which security ought to be given, and for avoiding the grant of all such offices in the event of such security not being given within a time to be limited after the grant of such offices.

67. For settling and securing certain annuities on the widow and eldest son of the late right honourable Spencer Perceval, and for granting a sum of money for the use of his other children.

68. For amending the laws relating to the local militia in Scotland.

69. To continue, until the 5th day of July 1813, several Acts for granting certain rates and duties, and for allowing certain drawbacks and bounties on goods, wares, and merchandize, imported into and exported from Ireland.

70. For raising the sum of 1,500,000*l.* by way of annuities and treasury bills for the service of Ireland.

71. For the better cultivation of navy timber in the forest of Woolmer, in the county of Southampton.

72. For the better cultivation of navy timber in the forest of Alice Holt, in the county of Southampton.

73. For repealing so much of an Act of the 36th year of his present Majesty, for the better relief of the poor within England; and enlarging the powers of the guardians of the poor, as limits the annual amount of the assessments.

74. To continue until the 1st day of January, 1814, an Act for appointing commissioners to enquire and examine into the nature and extent of the several bogs in Ireland, and the practicability of draining and cultivating them, and the best means of effecting the same.

75. To provide for the more complete and effectual liquidation of a debt due to his Majesty from the late Abraham Goldsmid, merchant, and his surviving partners; and to confirm and establish certain agreements entered into for that and other purposes relating thereto.

76. To amend several Acts relating to the revenue of customs and port duties in Ireland.

77. For granting an additional drawback on flint, phial, and crown glass; for charging an additional countervailing duty on flint and crown glass imported from Ireland; and for the better prevention of frauds in the exportation of glass on drawback.

78. To make better provision for the commissioners of appeal in revenue causes in Ireland.

79. To allow British plantation sugar and coffee, imported into Bermuda in British ships, to be exported to the territories of the United States of America in foreign ships or vessels; and to permit articles, the production of the said United States, to be imported into the said island in foreign ships or vessels.

80. For extending the period in which deeds were directed to be enrolled by an Act of the 50th year of his present Majesty, for amending several Acts for the redemption and sale of the land tax.

81. To amend an Act made in the 49th year of his present Majesty, for providing a durable allowance of superannuation to the officers of excise, under certain restrictions.

82. For transferring the Scotch excise charity and superannuation funds to the consolidated fund, and paying all future allowances from the latter fund, and for making provision for certain superannuated officers of excise in England and Scotland.

83. To revive and continue, until the 25th day of March 1813, and amend so much of an Act, made in the 39th and 40th year of his present Majesty, as grants certain allowances to adjutants and serjeant-majors of the militia of England, disembodied under an Act of the same session of parliament.

84. For making allowances in certain cases to subaltern officers of the militia in Great Britain, while disembodied.

85. For raising the sum of 22,500,000*l.* by way of annuities.

86. For raising the sum of 5,000,000*l.* by exchequer bills, for the service of Great Britain, for the year 1812.

87. To repeal the several duties under the care of the commissioners for managing the stamp duties in Ireland, and to grant new duties in lieu thereof; and for transferring the management of the duties on playing cards and dice from the commissioners of inland excise to the commissioners of stamp duties.

88. For granting to his Majesty certain additional rates of postage in Great Britain.

89. For charging an additional duty on copper imported into Great Britain, until the expiration of six calendar months after the ratification of a definitive treaty of peace.

90. For raising the sum of 500,000*l.* by treasury bills for the service of Ireland, for the year 1812.

91. To continue, until the 25th day of March, 1814, an Act made in the parliament of Ireland, in the 27th year of his present Majesty, for the better execution of the law and preservation of the peace within counties at large.

92. To continue, until the 1st day of August, 1813, certain acts for appointing commissioners to enquire into the fees, gratuities, perquisites, and emoluments received in several public offices in Ireland; to examine into any abuses which may exist in the same, and into the mode of receiving, collecting, issuing, and accounting for public money in Ireland.

93. For granting to his Majesty certain new and additional duties of assessed taxes; and for consolidating the same with the former duties of assessed taxes.

94. For granting to his Majesty additional duties of excise in Great Britain on glass, hides, and tobacco and snuff.

95. To amend and regulate the assessment and collection of the assessed taxes, and of the rates and duties on profits arising from property, professions, trades and offices, in that part of Great Britain called Scotland.

96. For applying the amount of the bounties on certain linens exported from Great Britain towards defraying the charge of the loan made and stock created in the present session of parliament.

97. To amend several Acts relating to the revenue of inland excise and taxes in Ireland.

98. To permit sugar, coffee, and cocoa to be exported from his Majesty's colonies or plantations to any port in Europe to the southward of Cape Finisterre, and corn to be imported from any such port, and from the coast of Africa, into the said colonies and plantations, under licences granted by the collectors and controllers of the customs.

99. For allowing certain articles to be imported into the Bahama islands, and exported therefrom in foreign vessels; and for encouraging the exportation of salt from the said islands.

100. To permit the exportation of wares, goods, and merchandize from any of his Majesty's islands in the West Indies to any other of the said islands, and to and from any of the British colonies on the continent of America, and the said islands and colonies.

101. To provide a summary remedy in cases

of abuses of trusts created for charitable purposes.

102. For the registering and securing of charitable donations.

103. For the more easy manning of vessels employed in the southern whale fishery.

104. To render more effectual an Act, passed in the 37th year of his present Majesty, for preventing the administering or taking unlawful oaths.

105. To continue, amend, and extend the provisions of an Act passed in the 48th year of his present Majesty, for enabling the secretary at war to enforce returns from clerks of subdivisions and others, in relation to fines, bounties, and sums due under any acts relating to the defence of the realm or militia, for the purpose of directing the distribution and securing the due application thereof.

106. For increasing the duty on rum and other spirits imported into Newfoundland from the British colonies and plantations on the continent of America, and charging a duty on spirits imported into Newfoundland from his Majesty's colonies in the West Indies.

107. For extending the allowance of the duty on salt used in making oxiginated muriatic acid for bleaching linen, to salt used in making such acid for bleaching thread and cotton twist.

108. To amend an Act passed in the 50th year of his present Majesty, for placing the duties of hawkers and pedlars under the management of the commissioners of hackney coaches.

109. To empower the commissioners of Chelsea hospital to commute pensions for a sum of money in certain cases.

110. For amending an Act passed in the 12th year of his late majesty king George the 2nd, intituled, 'An Act for the more easy assess'ing, collecting, and levying of county rates;' and for the remedying certain defects in the laws relating to the repairing of county bridges and other works maintained at the expence of the inhabitants of counties in England.

111. For defraying the charge of the pay and clothing of the militia and local militia in Great Britain for the year 1812.

112. For defraying, until the 25th day of March, 1813, the charge of the pay and clothing of the militia of Ireland; and for making allowances in certain cases to subaltern officers of the said militia during peace.

113. For raising the sum of 1,216,666*l.* 13*s.* 4*d.* Irish currency by treasury bills for the service of Ireland for the year 1812.

114. To enable the commissioners of his Majesty's treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of Great Britain for the year 1812.

115. To make more effectual provision for enabling the corporation for preserving and improving the port of Dublin, to erect, repair, and maintain light houses and lights round the coasts of Ireland, and to raise a fund for defraying the charge thereof.

116. To amend an Act of this session of parliament for amending the laws relating to the local militia of England.

117. For imposing additional duties of customs on certain species of wood, and on pot and pearl ashes imported into Great Britain.

118. To amend an Act made in the present session of parliament, intituled, 'An Act to revive and continue until the 31st day of December, 1812, so much of an Act made in the 49th year of his present Majesty, to prohibit the distillation of spirits from corn or grain, in the United Kingdom, as relates to Great Britain; and to revive and continue another act made in the 49th year aforesaid, to suspend the importation of British or Irish made spirits into Great Britain or Ireland, respectively; and for granting certain duties on worts or wash made from sugar during the prohibition of distillation from corn or grain in Great Britain.'

119. To repeal so much of an Act of the 43d year of his present Majesty, as permits the importation of goods and commodities from Turkey, Egypt, or the Levant seas, in foreign ships.

120. To explain, amend, and extend the provisions of an Act, passed in the last session of parliament, for enabling the wives and families of soldiers to return to their homes, to the widows, wives, and families of soldiers dying or employed on foreign service.

121. To authorize the transfer, to the East Indies, of debts originally contracted there, on the part of the East India company, payable in England.

122. To remove doubts as to an Act passed in the 50th year of the reign of his present Majesty, relating to raising men for the service of the East India company.

123. For amending and enlarging the powers of an Act passed in the 50th year of his present Majesty, to enable his royal highness the Prince of Wales to grant leases of certain lands and premises called Prince's Meadows, in the parish of Lambeth, in the county of Surrey, parcel of his said royal highness's duchy of Cornwall, for the purpose of building thereon.

124. For vesting in his Majesty, his heirs and successors, certain lands or grounds, formerly part of the wastes of the manor of Sandhurst, in the county of Berks, freed and discharged of commonable and other rights.

125. For granting to his Majesty a sum of money to be raised by lotteries.

126. To repeal the several Acts for the collection and management of the stamp duties in Ireland, and to make more effectual regulations for collecting and managing the said duties.

127. To prohibit, until the 1st day of November, 1812, the making of starch, hair powder,

and blue, from wheat and other articles of food; and for suspending part of the duties now payable on the importation into Great Britain of starch.

128. For better securing the duties on malt.

129. For amending two Acts passed in the 48th and 49th years of his present Majesty, for enabling the commissioners for the reduction of the national debt to grant life annuities.

130. For the more effectual punishment of persons destroying the properties of his Majesty's subjects; and enabling the owners of such properties to recover damages for the injury sustained.

131. To exempt from the duties of 1*s.* and of 6*d.* in the pound, certain augmentations made to the stipends of parishes in Scotland.

132. For explaining, amending, and extending the several laws relative to the payment of forfeited and unclaimed shares of army prize money, to the royal hospital at Chelsea; and for directing the mode of making up the accounts of pensions paid to the widows of officers of the army.

133. For taking an account of the population of Ireland, and of the increase or diminution thereof.

134. For the better regulation of the butter trade in Ireland.

135. For advancing 2,500,000*l.* to the East India company, to enable them to discharge part of the Indian debt.

136. To enable the lord lieutenant of Ireland to regulate the price of coals to be bought for the benefit of the poor of the city of Dublin.

137. For extending the time for the payment of certain sums of money, advanced by way of loan under an Act, passed in the last session of parliament, for enabling his Majesty to direct the issue of exchequer bills, to a limited amount, for the purposes and in the manner therein mentioned.

138. For the further prevention of the counterfeiting of silver tokens issued by the governor and company of the bank of England, called dollars, and of silver pieces issued and circulated by the said governor and company, called tokens; and for the further prevention of frauds practised by the imitation of the notes or bills of the said governor and company.

139. For granting to his Majesty certain duties on stone bottles made in or imported into Great Britain.

140. To permit the exportation of certain articles to the Isle of Man from Great Britain.

141. To regulate the manner of licensing boats by the commissioners of the customs, and the delivering up of licences in cases of loss or capture of vessels licensed; and for enabling the commissioners of the customs to purchase certain boats at a valuation.

142. To permit the removal of goods from one bonding warehouse to another, in the same port.

143. For amending and reducing into one Act, the provisions contained in any laws now in force imposing the penalty of death for any act done in breach of or in resistance to any part of the laws for collecting his Majesty's revenue in Great Britain.

144. To suspend and finally vacate the seats of members of the House of Commons, who shall become bankrupts, and who shall not pay their debts in full within a limited time.

145. To explain the exemption from toll in several acts of parliament, for carriages employed in husbandry; and for regulating the tolls to be paid on other carriages, and on horses, in certain other cases therein specified.

146. For the better regulating and preserving parish and other registers of births, baptisms, marriages, and burials, in England.

147. For regulating the allowances granted out of the duties of assessed taxes, to persons in respect of the number of their children, by an Act passed in the 46th year of his present Majesty; and for extending the limitation mentioned in the said Act in proportion to the increase of the said duties.

148. To enable the keeper of his Majesty's privy purse for the time being, to dispose of and transfer all such public stocks or funds, as now do or shall hereafter stand in his name, in the books of the governor and company of the bank of England, in trust for his Majesty.

149. To regulate the separation of damaged from sound coffee, and to permit dealers to send out any quantity of coffee not exceeding eight pounds weight without permit, until the end of two years from the passing of this Act.

150. To amend an Act passed in the 44th year of his Majesty's reign, for granting stamp duties in Great Britain, so far as regards the duties granted on medicines and on licences for vending the same.

151. To extend the provisions of an Act of the last session of parliament, relating to the half pay and allowance of officers retiring from service; and to authorize the allowing to foreign officers wounded, the like pensions and allowances as are given to British officers under the like circumstances.

152. To repeal an Act, passed in the 49th year of his present Majesty, intituled 'An Act for better regulating the office of agent general for volunteers and local militia,' and for the more effectually regulating the said office.

153. To rectify a mistake and to carry into more effectual execution the purposes of an Act made in the last session of parliament, relating to the British white herring fishery.

154. For granting to his Majesty certain sums of money out of the consolidated fund of Great Britain, and for applying certain monies therein mentioned, for the service of the year 1812, and for further appropriating the supplies granted in this session of parliament.

155. To repeal certain Acts, and amend other Acts relating to religious worship and assemblies, and persons teaching or preaching therein.

156. For the more effectual punishment of persons aiding prisoners of war to escape from his Majesty's dominions.

157. To prevent the issuing and circulating of pieces of gold and silver, or other metal, usually called tokens, except such as are issued by the banks of England and Ireland respectively.

158. To extend the provisions of an Act passed in the 36th year of the reign of his present Majesty, for the relief of persons equitably entitled to stocks and annuities transferable at the bank of England, and of an Act passed in this present session for the relief of infant suitors entitled to the like stocks and annuities, to all other transferable stocks and funds.

159. For charging foreign liquors and tobacco derelict, jetsam, flotsam, lagan, or wreck, brought or coming into Great Britain, with the duties payable on importation of such liquors and tobacco.

160. To enable justices of the peace to order parochial relief to prisoners confined under mesne process for debt in such gaols as are not county gaols.

161. For enabling his Majesty to grant leases under certain circumstances, and for the better carrying into effect the provisions of an Act passed in the 39th and 40th year of the reign of his present Majesty, touching the formation of a map of the New Forest in the county of Southampton, and continuing and extending other provisions of the said Act; for further appropriating the monies arisen or to arise from the sale of certain crown lands under the authority of divers Acts of parliament; for annexing certain lands within the forest of Rockingham to his Majestys's manor of King's Cliffe; and for enabling the commissioners of the treasury to appropriate small portions of land for ecclesiastical purposes.

162. For the preservation of the public peace in certain disturbed counties in England; and to give, until the 25th day of March 1813, additional powers to justices for that purpose.

163. For the relief of certain insolvent debtors in Ireland.

164. For enabling his Majesty to raise the sum of three millions for the service of Great Britain, and for applying the sum of 200,000*l.* British currency for the service of Ireland.

165. For the relief of certain insolvent debtors in England.

I N D E X

TO VOL. XXIII.

INDEX TO DEBATES IN THE HOUSE OF LORDS.

Appellant Jurisdiction and Court of Chancery Bill, 996
Assassination of Mr. Perceval, 161, 168

Chancery; Delays in, 732
Curates' Salaries Bill, 592, 771, 871

Delays in Chancery, 732
Dissenters, 318
Dissenters' Relief Bill, 887
Disturbed State of certain Counties; Prince Regent's Message respecting, 796, 1029

East India Company's Charter, 1

Frame Work Knitters' Bill, 1190, 1248

Gentleman Usher of the Black Rod, 93, 302

Henry, Mr.; his Secret Mission to the United States, 11

Jersey; Island of, 917
Informations Ex-Officio, 995, 1069
Insolvent Debtors' Bill, 319, 393

Leather Tax, 930
Local Tokens Bill, 1110

Negociations for forming a New Administration, 332, 338, 356 593

Orders in Council, 1, 42, 92, 170, 230, 587, 733

Overture from France, 1068

Palmer, Mr.; his Per-Centage Bill, 872, 886, 918, 959, 1039
Perceval, Mr.; Assassination of, 161.168
Prince Regent's Message respecting the disturbed State of certain Counties, 796
Prisoners of War, 1187, 1193
Preservation of the Public Peace Bill, 1194, 1251

Roman Catholics of Ireland, 711, 814

Sinecure Offices Bill, 892
Slave Trade, 1187

Toleration Bill, 1191, 1247, 1250

INDEX.

INDEX TO DEBATES IN THE HOUSE OF COMMONS.

Admiralty Registrar's Bill, 626
American Loyalists' Petition, 484
American Seamen, 485, 749
Army Agency, 1276
Assassination of Mr. Perceval, 165, 186, 187, 200, 206, 222, 230, 243
Assessed Taxes Bill, 808
Auction Duty Bill, 933

Barracks, 559
Bellingham the Assassin; Letter from Lord G. L. Gower respecting, 239
Bristol Election, 882, 1258
Budget, 559
Budget, Irish, 584

Chancery; Delays in, 57
Change of Administration, 231, 249, 312
Commissioners of Appeals in Revenue Causes, 97
Crompton, Mr.; his Petition, 747
Cuidad Rodrigo, 178

"Day" Newspaper; Complaint against the, 548
Disturbed State of certain Counties, 795, 802, 951
Droits of Admiralty, 326

Eaton, D. I.; his Petition, 1196
East India Loans, 478, 766, 904
East India Company's Affairs; Resolutions respecting the State of, 940
East India Company's Charter, 41, 44, 62, 95, 179, 205, 221, 232, 387, 714, 800, 873
Ecclesiastical Courts, 396, 806
Exchequer Bills, 772
Eyre, Mr.; his Petition, 776

Frame Work Knitters, 99
Fletcher, Mr.; his Petition, 882, 1055
Frame Work Knitters' Bill, 1162
Finance Resolutions, 956, 1198
Flogging in the Army, 1049

Gentleman Usher of the Black Rod, 90
Grain; Importations and Exportations of, 1103

Hall, Walter; his Pardon, 466, 933
Henry, Mr.; his Secret Mission to the United States, 293

Jersey; Mode of Electing Jurats in the Island of, 928
Inland Navigation of Ireland, 738
Informations Ex Officio in Ireland, 998, 1111
Insolvent Debtors' Bill, 1178
Ireland; Royal Canal Company of, 64, 96
Irish Tythes, 721
Irish Butter Bill, 1103
Irish Budget, 584

King, Captain; his Case, 1046

Lancaster Castle, 396, 485, 895
Leather Tax, 600, 783, 875, 878
Lincoln Castle, 310, 316, 750, 883, 926
London New Prison Bill, 924

Mason, Mr. St. John; his Petition, 774, 1050
Mary-le-bone Park, 878

Negociations for forming a New Administration, 313, 329, 337, 352, 381, 397, 476, 552, 606
New Administration, 231, 249, 312
Nightly Watch Regulation Bill, 949
Overtures for Peace from France, 1123
Oporto Factors, 1178
Orders in Council, 41, 42, 57, 70, 165, 181, 199, 202, 219, 232, 247, 286, 289, 292, 295, 336, 392, 395, 486, 600, 715

Palace Court, 810
Palmer, Mr.; his Claims, 630, 768, 809, 997
Penitentiary House, 876
Perceval, Mr.; Assassination of, 171, 186, 187, 200, 206, 222, 230, 243
Phillips, Mr. Mansell, 327
Property Tax, 56
Prisoners of War, 551, 791, 1028
Potatoes, Tithes on, in Ireland, 744, 943
Publicans' Bill, 298
Privy Purse Bill, 998
Preservation of the Public Peace Bill, 962, 999, 1056, 1060, 1099

Reform in Parliament, 42, 88, 99
Regent's Canal Bill, 71
Roman Catholics, 55, 393, 633

Sinecure Offices Bill, 468, 551
State of the Nation, 1262

Tellers of the Exchequer, 73
Tithes, Irish, 721
Tithes on Potatoes in Ireland, 744, 943
Toleration Bill, 551, 994, 1105

Unlawful Oaths Bill, 31

Vote of Credit, 998, 1043

West Indies, 1272
West India Revenues Bill, 1058, 1099

INDEX OF NAMES.—HOUSE OF LORDS.

Athol, Duke of, 348
Auckland, 5

Bathurst, Earl, 6, 230, 231, 588, 592
Bedford, Duke of, 930
Boringdon, Lord, 349
Buckinghamshire, Earl of, 3, 94
Caernarvon, Earl of, 922
Camden, Earl, 854, 1256
Canterbury, Archbishop of, 846
Clancarty, Earl of, 839
Cumberland, Duke of, 163, 862

Darnley, Earl of, 24, 865, 1042, 1255
Derby, Earl of, 3, 11
Donoughmore, Earl of, 863
Douglas, Marquis of, 347, 894

Eldon, Lord, *see* Lord Chancellor
Ellenborough, Lord, 320, 322, 846, 1041, 1082

INDEX.

Erskine, Lord, 346, 596, 923, 961, 1040, 1089, 1250

Fitzwilliam, Earl, 4, 94, 591

Grenville, Lord, 9, 334, 340, 380, 598, 866, 871
Grey, Earl, 7, 17, 94, 169, 170, 335, 342, 373, 377, 588, 589, 594, 711, 712, 995
Grosvenor, Earl, 93, 94, 300, 302, 892

Hardwicke, Earl of, 838, 1042
Harrowby, Earl of, 94, 361, 364, 373, 592, 771, 843, 917, 919, 1040
Holland, Lord, 11, 25, 94, 322, 323, 591, 799, 847, 887, 891, 894, 960, 995, 1068, 1069, 1098, 1187, 1190, 1192, 1196, 1251

Kent, Duke of, 845

Lansdowne, Marquis of, 6, 21, 587, 860, 917, 919
Lauderdale, Earl of, 23, 231, 322, 590, 591, 872, 887, 921, 932, 960, 1040, 1069, 1110, 1190
Limerick, Earl of, 334, 932
Liverpool, Earl of, 4, 8, 14, 168, 171, 319, 332, 334, 356, 357, 590, 798, 862, 892, 930, 1039, 1068, 1110, 1189, 1191, 1257
Longford, Lord, 832
Lord Chancellor, (Eldon), 162, 320, 322, 324, 325, 350, 393, 599, 833, 873, 893, 959, 997

Melville, Lord, 3, 865
Moira, Earl of, 320, 335, 338, 341, 344, 358, 376, 379, 393, 594, 595, 855, 887, 918, 959, 1041
Mountjoy, Lord, 1041
Mulgrave, Lord, 22, 855

Norfolk, Duke of, 332, 357, 358, 854

Redesdale, Lord, 321, 866, 894, 961, 996
Rosslyn, Earl of, 591

Sidmouth, Viscount, 20, 796, 858, 1192, 1193, 1194, 1254
Spencer, Earl, 598, 930, 931
Stanhope, Earl, 318, 325, 333, 589, 797, 799, 868, 887, 1096, 1192, 1255
Sussex, Duke of, 840, 1042

Walsingham, Lord, 923
Warwick, Earl of, 855
Wellesley, Marquis, 1, 332, 360, 362, 366, 373, 711, 814
Westmoreland, Earl of, 7, 24

INDEX OF NAMES.—HOUSE OF COMMONS.

Abbot, Right Hon. Charles, *see* SPEAKER
Abercromby, J. 40, 61, 885, 926, 928, 1060
Adams, Charles, 206
Althorp, Lord, 785, 1024

Bankes, H. 85, 473, 690, 768, 1023
Barham, J. 245, 944
Baring, A. 472, 530, 582, 730, 792, 1217
Bastard, J. P. 352, 581
Bathurst, B. 86, 420, 544, 700, 1054, 1061
Bennet, H. G. 90, 785, 1049, 1061
Biddulph, R. M. 786
Binning, Lord, 213, 472
Blackburn, Mr. 485
Bootle, W. 396, 684, 1024
Brand, T. 42, 81, 99
Brougham, H. 71, 72, 184, 221, 286, 288, 292, 295, 312, 326, 336, 382, 486, 548, 549, 600, 715, 757, 783, 808, 875, 884, 901, 927, 950, 1014
Browne, Hawkins, 944
Browne, Mr. 471, 1058, 1272, 1275
Burdett, Sir F. 143, 246, 255, 257, 260, 625, 719, 759, 769, 793, 806, 809, 882, 886, 895, 903, 980, 1006, 1053, 1055, 1118, 1262, 1281

Calcraft, J. 1100
Calvert, N. 791
Canning, G. 55, 176, 226, 266, 279, 313, 337, 437, 547, 653, 708, 982, 1147, 1178
Cartwright, Mr. 399
Castlereagh, Viscount, 159, 172, 185, 186, 188, 194, 195, 215, 224, 274, 287, 297, 381, 383, 459, 469, 537, 603, 625, 693, 719, 729, 743, 745, 755, 803, 900, 962, 985, 992, 1028, 1049, 1052, 1055, 1060, 1062, 1122, 1137
Chancellor of the Exchequer, (Right Hon. Spencer Perceval), 34, 78, 89, 91, 160
Chancellor of the Exchequer, (Right Hon. Nicholas Vansittart), 483, 546, 559, 631, 686, 769, 772, 787, 809, 875, 916, 933, 1043, 1055, 1106, 1206, 1223, 1271
Chaplin, Mr. 755
Clive, Lord, 222
Cochrane, Lord, 472
Courtenay, T. P. 471, 1218
Creevey, T. 71, 73, 479, 878, 906, 940
Croker, J. W. 792, 992
Curtis, Sir W. 925

Dent, J. 1281
Desart, Lord, 229, 945
Dundas, W. 468

Elliot, W. 108, 230, 417
Ellison, R. 316, 756
Eyre, Mr. 252

Fitzgerald, Maurice, 674, 744
Fitzgerald, W. 210, 469, 581, 606, 706, 730, 743, 1005, 1117
Foley, T. 902
Folkestone, Viscount, 400, 807, 1046
Frankland, W. 1012
Fuller, J. 224, 458, 677

Gascoyne, Isaac, 183, 353
Giddy, Davies, 40, 151, 298, 409, 884, 926
Giles, Daniel, 582, 809, 1061
Gooch, Mr. 152
Gower, Lord G. L. 239
Grant, C. 482
Grant, C. jun. 1009
Grattan, Henry, 416, 691

Hamilton, Lord A. 82, 579, 916, 1099
Harvey, Sir Eliab, 223
Herbert, H. A. (of Kerry), 190, 193, 263, 1101
Hippisley, Sir J. C. 701
Holford, G. W. 876
Howorth, H. 483, 766
Horner, F. 33, 84
Hume, W. H. 814, 1162, 1223
Huskisson, W. 207, 217, 230, 246, 482, 574, 1215
Hutchinson, C. H. 626, 990, 993, 1048, 1054, 1067, 1100, 1116, 1140

Jackson, J. 1272, 1275
Jocelyn, Lord, 946
Johnstone, G. 355, 412
Johnstone, Cochrane, 1276, 1283, 1284

INDEX.

Lamb, William, 223, 984, 1026
Lefevre, Shaw, 761
Lockhart, J. 786, 810
Long, Charles, 631, 1281, 1283
Lushington, S. R. 217
Lyttelton, W. 112

Martin, R. 159, 218, 280, 312, 329, 354, 459, 475, 620, 626, 745, 902, 993, 1284
Marryatt, J. 548, 679
Mathew, General, 208, 667
Milton, Viscount, 148, 228, 254, 330, 331, 403, 547
Montague, Mathew, 406, 680
Morris, E. 60

Newport, Sir J. 158, 244, 279, 314, 470, 579, 677, 728, 738, 743, 747
Nicholls, Sir J. 244, 684

Palmer, C. 630, 997
Palmerston, Lord, 883
Parnell, H. 582, 680, 721, 731, 742, 746, 948, 1103, 1282
Perceval, Spencer, *see* Chancellor of the Exchequer
Piggott, Sir A. 208
Pole, W. W. 96, 97, 317, 470, 584, 670, 727, 741, 935, 1114
Ponsonby, G. 80, 157, 159, 175, 315, 424, 469, 544, 619, 705

Raine, J. 813
Robinson, F. J. 749, 1053

Romilly, Sir S. 150, 627, 750, 762, 808, 927, 929
Rose, G. 522, 1282
Ryder, Richard, 31, 197, 263, 672, 929, 993

Scott, Sir W. 627, 806, 807, 943, 1047
Sebright, Sir J. 197
Seymour, Lord R. 613
Shaw, Sir James, 926
Sheridan, R. B. 299, 476, 478, 552, 606, 618, 622, 790, 933, 998, 1050, 1064, 1111, 1120, 1123, 1152
Shipley, Colonel, 989
Simeon, J. 197
Sinclair, G. 1103
Smith, A. 1002
Smith, J. 730
Smith, W. 196, 209, 330, 484, 708, 769, 992, 1053, 1152
Speaker, (Right Hon. Charles Abbot) 92, 257, 283, 284, 314, 474, 549, 808, 884, 886, 1047
Stanley, Lord, 747
Stephen, J. 38, 183, 289, 296, 1025, 1274
Sumner, Holme, 190, 194, 197, 214, 247, 924, 927
Sutton, Manners, 1049

Tavistock, Marquis of, 88, 106
Taylor, M. A. 57
Thornton, R. 481
Thornton, S. 925
Tierney, G. 86, 91, 198, 216, 455, 613, 698, 1044, 1055, 1062, 1101, 1202
Tighe, W. 410, 467, 731, 934, 939, 946. 990, 1054, 1061
Turton, Sir T. 56, 299, 408, 481, 631, 786, 956, 1099, 1178, 1198

Vansittart, G. 407
Vansittart, Nicholas, *see* Chancellor of the Exchequer

Wallace, Thomas, 209, 478, 904
Walpole, Lord, 263
Ward, J. W. 113, 209, 260
Warrender, Sir G. 211, 227
Western, C. C. 808
Wharton, R. 880
Whitbread, S. 39, 83, 153, 177, 193, 195, 212, 225, 243, 281, 293, 296, 298, 385, 542, 605, 621, 707, 721, 771, 772, 773, 804, 805, 916. 929, 937, 947, 955, 970, 999, 1109, 1128, 1178, 1221, 1223
Wilberforce, W. 86, 191, 195, 229, 258, 546, 731, 805, 976, 1026
Wortley, Stuart, 231, 249, 289, 313, 330, 352, 354, 397, 464
Wynn, C. W. 32, 92, 193, 228, 315, 551

Yarmouth, Earl of, 423, 477
Yorke, C. 314

END OF VOL. XXIII.

Printed by T. C. Hansard, Peterborough-Court,
Fleet-Street, London.